



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

खण्ड : 44

शिमला, शनिवार, 13 जुलाई, 1996/22 आषाढ़, 1918

संख्या : 28

विषय सूची

भाग-1	वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के राज्याल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि ..	886—890
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		949—950
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भाग-7	भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं	—
—	अन्तिम	—

13 जुलाई, 1996/22 आषाढ़, 1918 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'प्रसाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईः—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
संख्या पंच-ऊना (निर्वाचन) 30/95 225-306, दिनांक 20 जनवरी, 1996. संख्या पांगो (पंच)-8 (34)/95-II- 809-824, दिनांक 1 जून, 1996.	कार्यालय जिला निर्वाचन अधिकारी ऊना	जिला ऊना के विभाग खण्ड ऊना के नव निर्वाचित सदस्यों/प्रधानों/उप-प्रधानों के नामों की अधिसूचना का प्रकाशन।
संख्या एग (ए) (3) 23/95, दिनांक 25 मई, 1996.	कार्यालय निर्वाचन अधिकारी, पांगो जिला चम्बा	निर्वाचन अधिकारी पांगो द्वारा नव निर्वाचित प्रधानों/उप-प्रधानों/सदस्यों के निर्वाचन की अधिसूचना का प्रकाशन।
	कृषि विभाग	हिमाचल प्रदेश कृषि विभाग वरिष्ठ वेतनमान ग्राशुलिपिक वर्ग-III (अराजपत्रित) भर्ती एवं प्रोलति नियम, 1996 का प्रकाशन।

**भाग-1—बैद्यानिक नियमों को छोड़कर हिमाचल प्रदेश के राज्यपाल
हिमाचल प्रदेश सरकार
PERSONNEL (A-I) DEPARTMENT**

NOTIFICATIONS

Shimla-2, the 8th May, 1996

No. Per (A-I)-E(3)-3/88.—In supersession of this department's notification of even number, dated the 9th April, 1996, the Governor, Himachal Pradesh is pleased to order the substitution of the existing paragraph 2 of notification of even number, dated the 20th November, 1995 allowing consequential benefits to Shri G. S. Puniah, Senior Special Private Secretary in accordance with the orders of the Hon'ble Himachal Pradesh Administrative Tribunal, dated the 11th August, 1995 in O. A. No. 56/88, as under :—

“The Governor, Himachal Pradesh is further pleased to order promotion of Shri G. S. Puniah, as Special Private Secretary in the pay scale of Rs. 3700—5000+Rs. 500/- Special Pay P.M. with effect from 7-12-1987 to 30-6-1988 on temporary basis and w.e.f. 1-7-1988 on regular basis and Senior Special Private Secretary in the Pay Scale of Rs. 4125—5600+Rs. 500/- Special Pay per month with effect from 24-10-1992 to 21-8-1994 on temporary basis and with effect from 22-8-1994 on regular basis.”

By order,
Sd/-
Chief Secretary.

गिमला-2, 9 मई, 1996

संख्या कार्मिक (सचिव प्रशा 0-1) वी (2)-2/92.—विभागीय पदोन्नति समिति को फिकारियों पर, राज्यपाल, हिमाचल प्रदेश सचिवालय के निम्नलिखित अस्थाई आधार पर पदोन्नति अनुभाग अधिकारियों को अनुभाग अधिकारी (दिनीय श्रेणी) वेतनमान रूपये 2200-70-2550-75-3000-100-4000 जमा रूपये 200/- विशेष वेतन के पद पर 1-5-1996 से नियमित आधार पर नदोन्नति करने के सहित आदेश करते हैं :—

1. श्री ठाकुर दाम
2. श्री शमशेर सिंह
3. श्री हरि ओम गुप्ता

2. उपरोक्त अधिकारी दो वर्ष के लिए उस पद पर परिवेश अवधि पर रहेंगे।

3. उपरोक्त अधिकारियों को पदोन्नति के परिणाम स्वरूप वेतन नियन्त्रण कराने हेतु एक आरो-22(1)(क) (1) एवं उसके परन्तुक के अनुभाग एक माह के भीतर विकल्प देना होगा।

4. उपरोक्त अधिकारियों की पदोन्नति माननीय सर्वोच्च न्यायालय में दायर अपील संख्या 2615/87 (श्री गुरु लाल नेगी और अन्य वनाम भगत राम कारेट और अन्य) (आंग माननीय प्रशासनिक न्यायाधिकरण हिमाचल प्रदेश में दायर अपील संख्या 4/1988) श्री बोध राज और अन्य वनाम हिमाचल प्रदेश राज्य और अन्य अपील संख्या 161/1988 श्री ज्योति स्वरूप और अन्य वनाम हिमाचल प्रदेश राज्य और अन्य के ग्रन्तिम निर्णय पर आधारित होगी।

गिमला-2, 9 मई, 1996

संख्या कार्मिक (मो प्र०-1) (वी) (2)-2/92.—राज्यपाल, हिमाचल प्रदेश सचिवालय के निम्नलिखित अवकाश रिक्ति पर पदोन्नति अनुभाग अधिकारियों को इस कार्यालय की अधिसूचना मम संख्या दिनांक 11-1-1996 में वर्णित शर्तों के अनुरूप अगले

और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि आदेशों तक परिणामी रिक्ति पर पदोन्नति जारी रखने के सहर्ष आदेश करते हैं :—

1. श्री मनसा राम वर्मा
2. श्री जगत राम डोगरा
3. श्री राम लाल शर्मा
4. श्री जगदीश चन्द्र कौशल
5. श्री तारा दत्त शर्मा
6. श्री विद्या धर शर्मा
7. श्री सुरेश कुमार डोगर

के आदेश से,

हस्ताक्षरित/-
आयुक्त एवं सचिव ।

Shimla-2, the 10th May, 1996

No. Per (A-I)-B-(15)-5/86-Vol.-II.—The Governor, Himachal Pradesh is pleased to promote Shri Onkar Chand Thakur, Substantive Private Secretary, H. P. Secretariat to the post of Senior Private Secretary in the Pay Scale of Rs. 3000—4500 plus Rs. 500/- Special Pay P.M. purely on temporary basis with immediate effect.

2. The above temporary promotion shall not grant any right whatsoever of continuation/seniority/regularisation.

3. On his promotion, Shri Onkar Chand Thakur, Senior Private Secretary shall continue to function in the office of Tourism Minister H.P. as heretofore.

By order,

Sd/-
Chief Secretary.

Shimla-2, the 13th May, 1996

No. 10-2/72-DP-Apppt.-II.—In exercise of the powers vested in him under sub-section (1) of Section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh is pleased to appoint Shri Sita Ram “B” Class Tehsildar (Under Training), Badsar, District Hamirpur, Himachal Pradesh to be Executive Magistrate with the powers of Executive Magistrate under the said code to be exercised within the local limits of Tehsil Badsar, District Hamirpur with immediate effect subject to the conditions contained in the Home Department's Himachal Pradesh Government letter No. Home B(B) 12-5/84, dated 4-12-84 and 28-12-84. He shall cease to function as Executive Magistrate on his transfer out of his jurisdiction.

Shimla-2, the 13th May, 1996

No. 10-2/72-DP-Apppt. III.—In exercise of the powers conferred by sub-section 20 of the Code of Criminal Procedure, 1973 the Governor, Himachal Pradesh is pleased to appoint the following Naib Tehsildars and Tehsildar ‘B’ Class (Under Training) to be the Executive Magistrate with the powers of Executive Magistrate under the said Code to be exercised within the local limits as indicated against their names with immediate effect subject to the conditions contained in the Home Department's Himachal Pradesh Government letter No. Home B(B) 12-5/84 dated 4-12-84 and 28-12-84. They shall cease to function as Executive Magistrate on their transfer out of the local jurisdiction :

Sl. No.	Name and designation	Local limits
1	2	3
1.	Shri Ravinder Kumar Sharma Naib Tehsildar, Settlement Circle Bardgon, District Kullu.	Settlement Circle Bardgon, District Kullu.

1	2	3
2.	Shri Dharam Chand, Naib Tehsil Dharamshala, Land Acquisition, shala District o/o Deputy Commissioner Kangra. Kangra at Dharamshala.	
3.	Shri B. R. Kapil, 'B' Class Tehsil Dehra, Dis-Tehsildar (U.T.) Tehsil Dehra, triet Kangra. District Kangra.	

Sd/-
Commissioner-cum-Secretary.

Shimla-171002, the 14th May, 1996

No. Per (AP) A-B-(3)59/95.—The Govenor, Himachal Pradesh is pleased to order that Shri T. L. Vaidya, Director, Youth Services and Sports, Himachal Pradesh, Shimla shall retire from Government services on attaining the age of superannuation with effect from 31st August, 1996 (A.N.).

Sd/
Chief Secretary.

Shimla-2, 15 मई, 1996

संख्या कार्मिक (स० प्र०-१) वी (२)-४/८५.—राज्यपाल, हिमाचल प्रदेश विभागीय पदान्वति समिति की सिफारिशों पर हिमाचल प्रदेश सचिवालय के श्री अनन्त राम जिन्हें इस विभाग की ममसंघक अधिसूचना दिनांक 11-9-95 द्वारा प्रतिनियुक्ति पद के अन्तर्गत निजी सचिव (द्वितीय श्रेणी वेतनमान रुपये 2200-70-2550-75-3000-100-4000 जमा रुपये 300/- विशेष वेतन में अस्थाई आधार पर पदोन्नति किया गया था, को तत्काल से नियमित आधार पर निजी सचिव के पद पर पदोन्नति करने के सहर्ष प्रादेश करते हैं।

2. श्री अनन्त राम इस अधिसूचना के जारी होने की तिथि से दो वर्ष की परिकीक्षा पर रहेंगे।

2. उपरोक्त अधिकारी को इस पदोन्नति के परिणामस्वरूप वेतन नियन्त्रित करवाने हेतु एफ० आर० २२ (१) क (१) एवं उसके परन्तुक के त्रृतीयां विकल्प देता होगा।

के आदेश से,

हस्ताक्षरित/-
आयुक्त एवं सचिव।

Shimla-2, the 18th May, 1996

No. 1-16/74-DP-Appt. Vol-III.—On the recommendations of the Departmental Promotion Committee, the Governor, Himachal Pradesh is pleased to order the promotion of Dr. N. P. Aggarwal, Joint Director of Health Services, Himachal Pradesh as Director of Health Services, Himachal Pradesh in the pay scale of Rs. 5900—6700 on regular basis with immediate effect.

2. Dr. N. P. Aggarwal will be on probation for a period of two years in the first instance.

By order,
R. K. ANAND,
Chief Secretary.

Shimla-2, the 20th May, 1996

No. 10-3/73-DP-Appt.II.—In exercise of the powers vested in him under sub-section (1) of Section 20 of the Code of Criminal Procedure, 1973, the Governor, Himachal Pradesh is pleased to appoint Shri Sohan Singh, Naib Tehsildar Paonta Sahib, District Sirmaur, Himachal Pradesh to be Executive Magistrate with the powers of Executive Magistrate under the said Code to be exercised within the local limits of Tehsil Paonta Sahib with immediate effect subject to

the conditions contained in the Home Department's Himachal Pradesh Government letter No. Home-B(B) 12-5/84 dated 4-12-84 and 28-12-84. He shall cease to function as Executive Magistrate on his transfer out of this jurisdiction.

Sd/-
Commissioner-cum-Secretary.

AGRICULTURE DEPARTMENT

CORIGENDUM

Shimla-171002, the 21st June, 1996

No. Agr-F (7)-1/94.—Please read the words "clause 27" for the words "clause 19" appearing in para-I line fifth of this Department Notification of even number dated 16-12-1995.

By order,

AVAY SHUKLA,
Commissioner-cum-Secretary.

वित्त विभाग

(निवेशालय लघु वचन)

अधिसूचना

Shimla-2, 25 जून, 1996

सं०: फिन-2-सी (ए) 1/77 डब्ल्यू० एच० एम० (भाग-11).—इस विभाग की ममसंघक अधिसूचना दिनांक 6-10-95 की अनुवर्ती में हिमाचल प्रदेश के राज्यपाल, राष्ट्रीय वचन राज्य मलाहकार बोर्ड, हिमाचल प्रदेश के निम्नलिखित सदस्यों को उक्त बोर्ड में दिनांक 23-6-96 से 22-6-97 तक एक वर्ष की अवधि के लिए नियुक्त करने हेतु सहर्ष तत्काल स्वीकृति प्रदान करते हैं :—

गैर सरकारी सदस्य :

1. श्री वीरभद्र सिंह, मुख्य मन्त्री, हिमाचल प्रदेश	ग्रन्थालय
2. श्री राम नाथ शर्मा, गांव व डाकघर वरनोह, तहसील बंगाणा, जिला ऊना, हिमाचल प्रदेश।	उपाध्यक्ष
3. श्री शमशेर सिंह "कमल निवास" गांव व डाकघर पपरोला, तहसील पालमपुर, जिला गंडा, हिमाचल प्रदेश।	सदस्य
4. श्री चमन सिंह पठानिया, गांव व डाकघर बामा बजीरा, तहसील नूरपुर, जिला कांगड़ा, हिमाचल प्रदेश।	सदस्य
5. श्री ईश्वर दास, गांव व डाकघर किन्नू, तहसील रामपुर, जिला शिमला, हिमाचल प्रदेश।	सदस्य
6. श्री बीरु राम, गांव व डाकघर बागी, जिला शिमला हिमाचल प्रदेश।	सदस्य
7. श्री डी० डी० ठाकुर, भूतपूर्व विधायक, मण्डी, हिमाचल प्रदेश।	सदस्य
8. श्री प्रेम सिंह ठाकुर, गांव फियाठी, डा० सूजाऊ पिपलू, तहसील सरकाधाट, जिला मण्डी, हिमाचल प्रदेश।	सदस्य
9. श्री लाईन राम शर्मा, गांव व डाकघर गाटी, जिला सोलन, हिमाचल प्रदेश।	सदस्य
10. श्री देस राज शर्मा, एडबोकेट, डाकघर नाहन, जिला सिरमोर, हिमाचल प्रदेश।	सदस्य

11. श्री राजकुमार, गांव काहडी, डाकघर भलई, जिला चम्बा, हिमाचल प्रदेश ।	सदस्य
12. श्री वृज मोहन सांनी, गांव व डाकघर नादौन, जिला हमीरपुर, हिमाचल प्रदेश ।	सदस्य
13. श्री मुन्दर लाल, गांव व डाकघर गोदपुर, जिला ऊना, हिमाचल प्रदेश ।	सदस्य
14. श्री बेली राम ठाकुर, गांव व डाकघर आनी, जिला कुल्लू, हिमाचल प्रदेश ।	सदस्य
15. श्री बाबू राम गौतम, भूतपूर्व विद्यायक, जिला बिलासपुर, हिमाचल प्रदेश ।	सदस्य
16. श्री देविन्द्र नेगी, भूतपूर्व सी० जे० एम०, गांव व डाकघर मोहू (उपग्राम चौलिंग), तहसील निचार, जिला किन्नौर, हिमाचल प्रदेश ।	सदस्य
17. श्री संसार चन्द, गांव व डाकघर किर्तिग, तहसील केन्द्र, जिला लाहौल-स्पिति, हिमाचल प्रदेश ।	सदस्य
18. कुमारी बीना गुप्ता, 6 दी माल, शिमला-171001	सदस्य
19. श्री मतीश मिश्रा, गांव व डाकघर कोटगढ़, जिला शिमला, हिमाचल प्रदेश ।	सदस्य
20. श्री माठू राम, गांव व डाकघर शीला, उप-तहसील कमराऊ, जिला मिर्जौर, हिमाचल प्रदेश ।	सदस्य

सरकारी सदस्य :

1. मुख्य सचिव, हिमाचल प्रदेश सरकार	सदस्य
2. वित्तायुक्त (वित्त) हिमाचल प्रदेश सरकार	सदस्य
3. सचिव (शिक्षा) हिमाचल प्रदेश सरकार	सदस्य
4. सचिव (मामान्य प्रशासन विभाग) हिमाचल प्रदेश सरकार ।	सदस्य
5. निदेशक, शिक्षा विभाग, हिमाचल प्रदेश	सदस्य
6. निदेशक, प्राथमिक शिक्षा, हिमाचल प्रदेश	सदस्य
7. निदेशक, संस्थागत वित्त, हिमाचल प्रदेश	सदस्य
8. पंजीयक महकारी सभाएं, हिमाचल प्रदेश	सदस्य
9. सचिव (युवा संवाएं एवं कल्याण) हिमाचल प्रदेश सरकार ।	सदस्य
10. अध्यक्ष, ममाज कल्याण बोर्ड, हिमाचल प्रदेश	सदस्य
11. महानिदेशक, पुलिम विभाग, हिमाचल प्रदेश	सदस्य
12. निदेशक, ग्रामीण पक्षीकृत विभाग एवं पंचायती राज, हिमाचल प्रदेश ।	सदस्य
13. प्रधान मुख्य अरण्यपाल (वन) हिमाचल प्रदेश	भद्रस्य
14. मुख्य पोस्टमास्टर जनरल, हिमाचल प्रदेश बूत	सदस्य
15. केन्द्रीय निदेशक, अकाशवाणी, शिमला	सदस्य
16. धेनीय निदेशक, राष्ट्रीय वचत संगठन, भारत सरकार, हिमाचल प्रदेश, शिमला-171003.	सदस्य
17. निदेशक, लघु वचत, हिमाचल प्रदेश	सदस्य-सचिव

राज्यपाल हिमाचल प्रदेश श्री राम नाथ शर्मा, उपाध्यक्ष, राष्ट्रीय वचत राज्य मन्त्रालय वार्ड की नियक्ति की शर्तोंको भी 22-6-97

तक उन्हीं शर्तों पर जो कि इस विभाग की समसंख्यक अधिसूचना दिनांक 4 दिसम्बर, 1995 द्वारा अधिसूचित की गई थी को बढ़ाने की भी सहर्ष स्वीकृति देते हैं ।

सरकारी सदस्य अपने पद की हैसियत से तथा गैर-सरकारी सदस्य अपनी व्यक्तिगत हैसियत में नियुक्त किये जाते हैं :

बोर्ड निम्नलिखित कार्यों का निर्वहन करता रहेगा :—

- (क) जिला स्तर पर गठित बचत समितियों में समन्वय स्थापित करना तथा दिशा निर्देश देना,
- (ख) राष्ट्रीय बचत आन्दोलन का राज्य में विस्तार करने के लिए राज्य सरकार की सहायता तथा परामर्श प्रदान करना तथा लघु बचत योजनाओं को और लोकप्रिय बनाने के उपाय सुझाना, और
- (ग) राष्ट्रीय बचत आन्दोलन में सम्बन्धित सरकार की अपेक्षिक संगठनात्मक और प्रचार सम्बन्धी विषयों पर परामर्श देना ।

सरकारी सदस्यों को बोर्ड से सम्बन्धित यात्रा के लिए यात्रा भत्ता/दैनिक भत्ता सरकार के नियमानुसार दिया जाएगा । गैर-सरकारी सदस्यों को उक्त बोर्ड से सम्बन्धित यात्रा के लिए यात्रा भत्ता/दैनिक भत्ता राष्ट्रीय बचत संगठन, भारत सरकार द्वारा निर्धारित दर के अनुसार क्षेत्रीय निदेशक, राष्ट्रीय बचत संगठन, भारत सरकार, रेलवे बोर्ड बिल्डिंग, शिमला-3 के माध्यम से केन्द्रीय राजस्व में से दिया जाएगा ।

आदेश द्वारा,

कंवर शमशेर सिंह,
वित्तायुक्त एवं सचिव ।

वन खेती एवं संरक्षण विभाग

शुद्धि-पत्र

शिमला-171002, 26 जून, 1996

संख्या वन-1 (बी) 3/9/89.—इस विभाग की अधिसूचना संख्या-वन-1 (ब) 18-4/93, दिनांक 19-4-96 के क्रम संख्या-5 में श्री पी० एल० ठाकुर, हि० प्र० व० से० एस० डी० एम० चम्बा, राज्य वन निगम चम्बा, हिमाचल प्रदेश के स्थान पर श्री पी० एल० ठाकुर, हि० प्र० व० से० मण्डलीय प्रबन्धक चम्बा पढ़ा जाए ।

आदेश द्वारा,
ओ० पी० यादव,
वित्तायुक्त ।

HIMACHAL PRADESH PUBLIC SERVICE COMMISSION

NOTIFICATIONS

Shimla-2, the 26th April, 1996

No. 4-76/84-PSC.—In continuation of this Commission's notification of even number dated 21-10-1995 and in consultation with the Himachal Pradesh Public Service Commission, the Chairman, Himachal Pradesh Public Service Commission is pleased to order the continuation of appointment of Shri Rakesh Bhardwaj, Superintendent Grade-II (Class-III) to the post of Research Officer (Class-II Gazetted) in the pay scale of Rs. 2000—3500 purely on *ad hoc* basis for a further period of six months with effect from 01-03-1996 to 31-08-1996 or till the post is filled up on regular basis, whichever is earlier.

2. This will not entitle him for any claim for seniority and/or his regular promotion etc. to the post

of Research Officer. This promotion of Sh. Rakesh Bhardwaj shall be subject to the decision of the Hon'ble Himachal Pradesh Administrative Tribunal in case No. O. A. 1781/95.

Shimla-2, the 30th April, 1976

No. 4-76/84-PSC.—The Chairman, in consultation with the Himachal Pradesh Public Service Commission is pleased to promote Shri B. S. Chauhan, Superintendent, Grade II (Class-III) to the post of Research Officer (Class-II, Gazetted) in the pay scale of Rs. 2000—3500 on *ad hoc* basis initially for a period of six months from the date of joining the post or till the post is filled up on regular basis whichever is earlier.

This promotion is subject to the decision of Hon'ble H. P. Administrative Tribunal in O. A. No. 904/90 and O. A. No. 1781/95.

Shimla-2, the 30th April, 1996

No. 4-76/84-PSC.—The Chairman, in consultation with the Himachal Pradesh Public Service Commission is pleased to promote Shri Ram Singh Verma, Assistant Registrar to the post of Additional Registrar (Class-I) (Gazetted) in the pay scale of 2200—4000 plus Rs. 300/- S. P. on *ad hoc* basis initially for a period of six months from the date of joining the post or till the post is filled up on regular basis, whichever is earlier.

Shimla-2, the 30th April, 1996

No. 4-76/84-PSC (Vol. II).—The Chairman, Himachal Pradesh Public Service Commission is pleased to promote the following Superintendents Grade-II (Class-III) of this Commission's office to the post of Section Officers (Class-II) in the pay scale of Rs. 2200—4000 plus Rs 200/- S. P. on *ad hoc* basis initially for a period of six months from the date of their joining the posts or till the posts are filled up on regular basis whichever is earlier :—

1. Shri Rakesh Bhardwaj; and
2. Shri Swaraj Singh.

Shimla-2, the 26th June, 1996

No. 4-76/84-PSC (Vol.).—On the recommendations of the Departmental Promotion Committee, the Chairman, H. P. Public Service Commission is pleased to promote the following Superintendents Grade-II (Class-III), (presently working as Section Officers on *adhoc* basis), of this Commission's office to the posts of Section Officers (Class-II Gazetted) in the pay scale of Rs. 2200-70-2550-75-3000-100-4000 plus Rs. 200/- S. P. with immediate effect.

S. No. Name of the official

1. Shri Rakesh Bhardwaj
2. Shri Swaraj Singh.

They will be on probation for a period of two years.

3. The continuation of Shri Swaraj Singh in the post of Section Officer (Class-II Gazetted), will however depend on the availability of the post of Section Officer (Class-II Gazetted) in the Commission's office.

Sd/-
Secretary.

हिमाचल प्रदेश विधान सभा सचिवालय

अधिमूचनाएं

शिमला-171004, 4 मई, 1996

संख्या 6-62/81-V.0.—अव्यक्त, हिमाचल प्रदेश विधान सभा, इस सचिवालय की समसंख्यक अधिमूचना दिनांक 1-11-1994 द्वारा श्री मुमाय महाजन की अवर सचिव के पद पर की गई तदर्थि पदोन्नति को 1 जुलाई, 1995 से नियमित करने के सहर्ष आदेश देते हैं जिसके फलस्वरूप श्री मुमाय महाजन उक्त पद पर 3000—4500+400/- रुपये विशेष वेतन के वेतनमान में स्थानापन्न हूँ जैसे नियमित तौर पर पदोन्नत माने जाएंगे।

वह दो वर्ष की अवधि हेतु परिवीक्षा पर रहेंगे जिसकी गणना दिनांक 1 जुलाई, 1995 से की जाएगी।

हस्ताक्षरित/-
सचिव।

Shimla-4, the 21st June, 1996

No. 6-62/81-V. S.—In exercise of the powers vested in him under rule 8 of the Himachal Pradesh Vidhan Sabha Secretariat (Recruitment and Conditions of Service) Rules, 1974, and all other powers enabling him in this behalf, the Hon'ble Speaker, has been pleased to promote and appoint on officiating basis Shri Parmanand Sharma, Section Officer as Under Secretary (Gazetted Class-I) in the pay scale of Rs. 3000—4500 plus 400/- special pay per month, with immediate effect against vacant post.

He would be on probation for a period of two years in the first instance reckoned from the date he assumes charge of office. However, successful completion of probationary period itself would give no right to substantive appointment.

Shimla-4, the 21st June, 1996

No. 6-62/81-V. S.—In exercise of the powers vested in him under rule 8 of the Himachal Pradesh Vidhan Sabha Secretariat (Recruitment and Conditions of Service) Rules, 1974, and all other powers enabling him in this behalf, the Hon'ble Speaker has been pleased to promote and appoint on *adhoc* basis, Shri Zulfi Ram, Section Officer as Under Secretary (Gazetted Class-I) against the leave vacancy, in the pay scale of Rs. 3000—4500 plus 400/- special pay per month, with immediate effect.

The above promotion/appointment is purely a stop-gap arrangement against the leave vacancy and as soon as the incumbent joins his duty after the expiry of his leave, the above arrangement shall stand terminated. The above promotion/appointment shall also not confer any right upon Shri Zulfi Ram to claim seniority in the grade.

Shimla-171004, the 27th June, 1996

No. 6-37/25-V.S.—Shri Amar Singh-I, Superintendent Grade-II (Ex-Cadre) is hereby promoted purely on *ad hoc* basis as Section Officer (Gazetted Class-II) against the resultant vacancy caused due to temporary *adhoc* promotion of Shri Zulfi Ram, in the pay scale of Rs. 2200—4000 plus Rs. 200/- special pay per month, with immediate effect.

The above promotion is purely a stop-gap arrangement against the resultant vacancy and as soon as Shri Zulfi Ram reverts back to his lower post of Section Officer, the above arrangement shall stand

terminated. The above promotion shall not confer any right upon Shri Amar Singh-I, to claim seniority or regularisation in the grade.

Shimla-171004, the 27th June, 1996

No. 6-32/75-VS.—On the recommendation of the Departmental Promotion Committee, Shri Hashmat Rai, Superintendent Grade-II is promoted and appointed, on officiating basis, as Section Officer, (Gazetted Class-II) in the pay scale of Rs. 2200--4000 plus Rs. 200/-

भाग-2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि ।
लोक सम्पर्क विभाग

अधिसूचना

जिमला-2, 26 जून, 1996

संख्या 5-57/67-पब-3457.—श्री विनोद कुमार लखनपाल, संयुक्त निदेशक के पक्ष में निम्न प्रकार के अवकाश की कार्योत्तर स्वीकृति प्रदान की जाती है:—

- दिनांक 19-12-94 से 13-1-95 तक 26 दिन रूपान्तरित अवकाश
- दिनांक 13-2-95 से 14-3-95 तक 20 दिन अर्जित अवकाश
- दिनांक 17-4-95 से 25-4-95 तक 9 दिन अर्जित अवकाश
- दिनांक 26-4-95 से 15-7-95 तक 81 दिन रूपान्तरित अवकाश
- दिनांक 6-11-95 से 26-11-95 तक 21 दिन अर्जित अवकाश

भाग-3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाईनेन्शियल कमिशनर तथा कमिशनर अफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि ।
आवाकारी एवं कराधान विभाग

अधिसूचना

जिमला-171002, 26 फरवरी, 1996

संख्या ई० एक्स० एन०-ए०(३)-१६/९३.—हिमाचल प्रदेश के राज्यपाल, भारत के संविधान क अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श में, हिमाचल प्रदेश आवाकारी एवं कराधान विभाग में सांख्यिकी सहायक (वर्ग-III) अराजपत्रित पद के लिए, इस अधिसूचना से संलग्न उपावन्ध “अ” के अनुसार भर्ती और प्रोन्नति नियम बनाते हैं, अर्थात्:—

1. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश, आवाकारी एवं कराधान विभाग में सांख्यिकी सहायक (वर्ग-III) के पद के भर्ती एवं प्रोन्नति नियम, 1996 है।

(2) ये नियम राजपत्र, हिमाचल प्रदेश में प्रकाशित किए जाने की तारीख से प्रवृत्त होंगे।

आदेश द्वारा,
ए० एन० विद्यार्थी,
अतिरिक्त मुख्य सचिव एव सचिव ।
“उपावन्ध-अ”

आवाकारी एवं कराधान विभाग हिमाचल प्रदेश में सांख्यिकी सहायक (वर्ग-III अराजपत्रित) के पद के लिए भर्ती एवं पदोन्नति नियम

- पद का नाम सांख्यिकी सहायक
- पदों की संख्या 1 (एक)
- वर्गीकरण (वर्ग-III अराजपत्रित) लिपिक वर्गीय ।
- वेतनमान रु० 1650-50-2000-60-
(विस्तृत रूप में अंकित करें) 2060-70-2550-75-2925.
- वर्गन पद अवयव अवयव
- साधी भर्ती किए जाने वाले व्यक्तियों के लिए आयु 18 से 35 वर्ष के मध्य :

special pay per month, with immediate effect.

He would be on probation for a period of two years in the first instance reckoned from the date he assume charge of office. However, successful completion of probationary period itself would give no right to substantive appointment.

By order,

Sd/-
Secretary.

6. दिनांक 27-11-95 से 16-12-95 तक 20 दिन रूपान्तरित अवकाश

उपरोक्त अवकाश के आरम्भ और अन्त में राजपत्रित अवकाश जो दिनांक 18-12-94, 14, 15-1-95, 11, 12-2-95, 13, 14, 15, 16-4-95 तथा 16-7-95 से 17-12-95 को पड़ते हैं को भी अवकाश के साथ काटने की स्वीकृति प्रदान की जाती है ।

उक्त अधिकारी के अवकाश का समय दिनांक 19-12-94 से 13-1-95, 13-2-95 से 14-3-95, 17-4-95 से 25-4-95, 26-4-95 से 15-7-95, 6-11-95 से 26-11-95 तथा 27-11-95 से 16-12-95 तक वार्षिक वृद्धि में जोड़ा जाएगा ।

हस्ताक्षरित/-
निदेशक ।

परन्तु सीधी भर्ती के लिये आयु सीमा तदर्थ या संविदा नियुक्त किए, गए पहले से सरकार की सेवा में नियुक्त व्यक्तियों सहित अध्ययित्यों को लागू नहीं होगी :

परन्तु यह और कि यदि तदर्थ आधार पर नियुक्त किया गया अध्यर्थी इस रूप में नियुक्ति की तारीख को अधिक आयु का हो गया हो, तो वह तदर्थ या संविदा के आधार पर नियुक्ति के कारण विहित आयु में छूट के लिये पात्र नहीं होगा :

परन्तु यह और कि अनुसूचित जातियों/अनुसूचित जन-जातियों तथा अन्य वर्गों के व्यक्तियों के लिए उच्चतम आयु सीमा में उतनी ही छूट दी जा सकेगी जितनी कि हिमाचल प्रदेश सरकार के साधारण या विशेष आदेशों के अधीन अनुज्ञय है :

परन्तु यह और भी कि पब्लिक सेक्टर नियमों तथा स्वायत निकायों के सभी कर्मचारियों को, जो ऐसे पब्लिक सेक्टर नियमों तथा स्वायत निकायों के प्रारम्भिक गठन के समय ऐसे पब्लिक सेक्टर नियमों/स्वायत निकायों में आमेन्डमेंट से पूर्व सरकारी कर्मचारी थे, सीधी भर्ती में आयु की सीमा में ऐसो ही-रियायत दो जाएगी जैसी सरकारी कर्मचारियों को अनुज्ञय है, किन्तु इप्रकार की रियायत पब्लिक सेक्टर नियमों तथा स्वायत निकायों के ऐसे कर्मचारी वृन्द को नहीं दी जाएगी जो पश्चात्वर्ती ऐसे नियमों/स्वायत निकायों द्वारा नियुक्त किए गए थे/किए गए हैं और उन

पञ्चिक सेवकर निगमों/स्वायत निकायों के प्रारम्भिक गठन के पश्चात् ऐसे निगमों/स्वायत निकायों की सेवा में अन्तिम रूप से आमेलित किए गए हैं/किये गये थे।

(1) सीधी भर्ती के लिये आयु सीमा की गणना, उस वर्ष के प्रथम दिवस से की जाएगी जिसमें आवेदन आमन्त्रित करने के लिए यथास्थिति पद विज्ञापित या विनियोजनालयों को अधिसूचित किए जाते हैं।

(2) अन्यथा सुअर्हित अधिकारियों की दशा में सीधी भर्ती के लिए आयु सीमा और अनुभव आयोग के विवेकानुसार शिथिल किया जा सकेगा।

7. सीधी भर्ती किए जाने वाले व्यक्तियों के लिए अपेक्षित अन्तिम शैक्षणिक और अन्य अहंताएं।

अनिवार्य :

किसी मान्यता प्राप्त विश्वविद्यालय में बी०कौ०या या बी०ए०स०सी०/बी०ए० अर्थ शास्त्र/गणित/सांख्यिकी के एक विषय सहित या इसके समकक्ष।

वान्धनोय :

(1) सांख्यिकी डाटा के संग्रहण और संकलन के क्षेत्र में कम से कम 3 वर्ष का अनुभव।

(2) उपरोक्त विषयों में से किसी एक में उच्चतर अहंता।

(3) हिमाचल प्रदेश की रुद्धियों, रीतियों और बोलियों का ज्ञान और प्रदेश में विद्यमान विशिष्ट दशाओं में नियुक्ति के लिए उपयुक्तता।

आयु : लागू नहीं।

शैक्षणिक अहंताएं : हां

8. सीधी भर्ती किये जाने वाले व्यक्तियों के लिये विहित आयु और शैक्षणिक अहंताएं प्रोन्नति की दशा में लागू होगी या नहीं।

9. परिवेक्षा को अवधि, यदि कोई हो।

दो वर्ष, जिनमें एक वर्ष से अन्तर्गत ऐसी और अवधि के लिये विस्तार किया जा सकेगा जैसा सक्षम प्राधिकारी विशेष परिस्थितियों में और लिखित कारणों से ग्रादेश दें।

10. भर्ती की पद्धति.—भर्ती सीधी होगी या प्रोन्नति/प्रतिनियुक्ति या स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरी जाने वाली रिक्तियों को प्रतिशतता।

11. प्रोन्नति, प्रतिनियुक्ति या स्थानान्तरण की दशा में श्रेणियां जिनसे प्रोन्नति, प्रतिनियुक्ति या स्थानान्तरण किया जाएगा।

सामान्य लिपिक वर्गीय ज्ञाडर में से प्रोन्नति द्वारा (जिसके अन्तर्गत लिपिक/वर्णित लिपिक/कनिष्ठ सहायक भी हैं) जिन का कम से कम 5 वर्ष का नियमित सेवाकाल या ग्रेड में 31-3-91 तक की गई लगातार तदर्थ सेवा को सम्मिलित करके यदि कोई हो 5 वर्ष का सेवाकाल हो।

(1) प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से

पूर्व सभी पद में 31-3-91 तक की गई तदर्थ सेवा, यदि कोई हो; प्रोन्नति के लिए इन नियमों में यथा विहित सेवाकाल के लिए निम्नलिखित शर्तों के अधीन रहते हुए गणना में ली जाएगी।

(2) उन सभी मामलों में जिनमें कोई कनिष्ठ व्यक्ति सम्मरण पद में अपने कुल सेवाकाल (31-3-91 तक की गई तदर्थ सेवा को शामिल करके) के आधार पर उपर्युक्त निर्दिष्ट उपबन्धों के कारण विचार किए जाने का पात्र हो जाता है, वहां उससे वरिष्ठ सभी व्यक्ति विचार किए जाने के पात्र समझे जायेंगे और विचार करते समय कनिष्ठ व्यक्ति से लपर रखे जायेंगे:

परन्तु उन सभी पदवारियों की जिन पर प्रोन्नति के लिए विचार किया जाता है, कम से कम तीन वर्ष अन्तिम अहंता सेवा या पद के भर्ती एवं प्रोन्नति नियमों में विहित सेवा जो भी कम होगी:

परन्तु यह और भी कि, जहां कोई व्यक्ति पूर्वगामी परन्तुक की अपेक्षाओं के कारण प्रोन्नति किये जाने सम्बन्धी विचार के लिए अपात्र हो जाता है, वहां उससे कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपात्र समझा जाएगा :

स्पष्टीकरण.—अन्तिम परन्तुक के अन्तर्गत कनिष्ठ पदवारी प्रोन्नति के लिए अपात्र नहीं समझा जाएगा यदि वरिष्ठ अपात्र व्यक्ति भूतपूर्व सैनिक है, जिसे डिमोविलाईजड आर्मेड फोर्सेज परसोनल (रिजर्वेशन आफ वेकेन्सीज इन हिमाचल स्टेट नान-टैक्नीकल सर्विसेज) रूल्ज, 1972 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो तथा इसके अन्तर्गत वरीयता लाभ दिए गये हों या जिसे एक्स-सर्विसमैन (रिजर्वेशन आफ वेकेन्सीज इन दी हिमाचल प्रदेश टैक्नीकल सर्विसेज) रूल्ज, 1985 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो व इसके अन्तर्गत वरीयता लाभ दिए गए हों।

(2) इसी प्रकार स्थाईकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व 31-3-1991 तक की गई तदर्थ सेवा, यदि कोई हो, सेवाकाल के लिए गणना में ली जाएगी :

परन्तु 31-3-1991 तक तदर्थ सेवा को गणना में लेने के पश्चात् जो स्थाईकरण होगा उसके फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी ।

12. यदि विभागीय शो-राजि नियमि जैसे कि सरकार द्वारा सन्य-समय विद्यमान हो, तो उसको पर गठित की जाये। संरचना ।

13. भर्ती करने में जिन जैसा कि विधि द्वारा अपेक्षित ग्राफिक्स में हिमाचल सेवा आयोग से परमर्श किया जायेगा।

14 सीधी भर्ती किये जाने वाले व्यक्तियों के लिए अपेक्षा।

किसी सेवा या पद पर नियुक्ति के लिए अभ्यर्थी का निम्नलिखित होना अवश्यक है:—

- (क) भारत का नागरिक, या
- (ख) नेपाल की प्रजा, या
- (ग) भूटान की प्रजा, या
- (घ) तिब्बती शरणार्थी, जो 1 जनवरी, 1962 से पूर्व भारत में स्थायी निवास के आशय से आया हो, या
- (ङ) भारतीय मूल का कोई व्यक्ति जिसने पाकिस्तान, बर्मा, श्रीलंका, पूर्वी अफ्रीका के देशों कीनिया, युगांडा, युनाईटेड रिपब्लिक आफ तन्जानिया (पहले तांगानिका और जंजीबार) जाम्बिया, मालवा, जेयरे और इथोपिया से भारत में स्थायी निवास के आशय से प्रवास किया है:

परन्तु प्रवर्ग (ख), (ग), (घ) और (ङ) के अभ्यर्थी ऐसे व्यक्ति होंगे जिनके पक्ष में भारत सरकार द्वारा पावता प्रमाण-पत्र जारी किया गया हो।

ऐसे अभ्यर्थी को, जिनके मामले में पावता प्रमाण-पत्र आवश्यक हो, हिमाचल प्रदेश लोक सेवा आयोग या अन्य भर्ती प्राधिकरण द्वारा संचालित परीक्षा/साक्षात्कार में प्रविष्ट किया जा सकेगा, किन्तु उसे नियुक्ति का प्रस्ताव, भारत सरकार द्वारा उसे पावता का अपेक्षित प्रमाण-पत्र जारी किये जाने के पश्चात् ही दिया जाएगा।

15. सीधी भर्ती द्वारा पद पर नियुक्ति के लिए चयन।

सीधी भर्ती के मामले में पद पर नियुक्ति के लिए चयन, मौखिक परीक्षा के आधार पर, और यदि, यथास्थिति, हिमाचल प्रदेश लोक सेवा आयोग या अन्य भर्ती प्राधिकरण ऐसा करना आवश्यक या समीचीन समझे तो लिखित परीक्षा या व्यवहारिक परीक्षा के आधार पर किया जायेगा। जिसकास्तर/पाठ्यक्रम, यथास्थिति, आयोग/अन्य भर्ती प्राधिकरण द्वारा निर्धारित किया जाएगा।

16. आरक्षण

उक्त सेवा में नियुक्ति, हिमाचल प्रदेश सरकार द्वारा समय-समय पर अनुसूचित जातियों/अनुसूचित जनजातियों/पिछड़े वर्गों और अन्य प्रवर्ग के व्यक्तियों के लिए सेवाओं में आरक्षण की बाबत जारी किए गए अनुदेशों के अधीन होगी।

17. शिथिल करने की शक्ति

जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक है या समीचीन है, वहां यह कारणों को अनिवार्य घोषित करके और हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से आदेश द्वारा इन नियमों के किन्हीं उपबन्धों को किसी वर्ग या व्यक्तियों के प्रवर्ग या पदों की बाबत शिथिल कर भवेगी।

[Authoritative English text of this Department notification No. EXN-A(3) 16/93, dated 26th February, 1996 as required under clause (3) of Article 348 of the Constitution of India].

EXCISE AND TAXATION DEPARTMENT

NOTIFICATION

Shimla-171002, the 26th February, 1996

No. EXN-A (3)-16/93.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, of Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the Recruitment and Promotion Rules for the post of Statistical Assistant (Class-III) Non Gazetted in the Department of Excise and Taxation, Himachal Pradesh as per Annexure-A attached to this notification, namely:—

1. *Short title and commencement.*—(1) These rules may be called the Himachal Pradesh Excise and Taxation Department, Statistical Assistant (Class-III) Recruitment and Promotion Rules, 1996.

(2) They shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.

By order,

A. N. VIDYARTHI,
Additional Chief Secretary-cum-Secretary.

ANNEXURE-A

RECRUITMENT AND PROMOTION RULES FOR THE POST OF STATISTICAL ASSISTANT IN THE DEPARTMENT OF EXCISE AND TAXATION, HIMACHAL PRADESH

1. Name of the post	... Statistical Assistant
2. Number of posts	.. 1 (One)
3. Classification	... Class-III (Non Gazetted) Ministerial.
4. Scale of pay	.. Rs. 1650-50-2000-60-2060-70-2550-75-2925.
5. Whether selection post or non-selection post.	Non Selection
6. Age for direct recruitment.	Between 18 years and 35 years :

Provided that the upper age limit for direct recruitment will not be applicable to the candidates already in service of the Government including those who have been appointed on *ad hoc* or on contract basis :

Provided further that if a candidate appointed on *ad hoc* basis had become overage on the date when he was appointed as such he shall not be eligible for any relaxation in the prescribed age limit by virtue of his such *ad hoc* or contract appointment:

Provided further that upper age limit is relaxable for Scheduled Castes/Scheduled Tribes/Other categories of persons to the extent permissible under the general or special order of the Himachal Pradesh Government:

Provided further that the employees of all the Public Sector Corporations and Autonomous Bodies who happened to be Government servants before absorption in the Public Sector Corporations/Autonomous Bodies at the time of initial constitution of such Corporations/Autonomous Bodies shall be allowed age concession in direct recruitment as admissible to Government servants. This concession will not, however, be admissible to such staff of the Public Sector Corporations/Autonomous Bodies who were/are subsequently appointed by such Corporations/Autonomous Bodies and are/were finally absorbed in the service of such corporations/autonomous bodies after initial constitution of the Public Sector Corporations/Autonomous Bodies.

Note.—(1) Age limit for direct recruitment will be reckoned on the first day of the year in which the post(s) are advertised for inviting applications or notified to the Employment Exchanges as the case may be.

(2) Age and experience in the case of direct recruitment relaxable at the discretion of the Himachal Pradesh Public Service Commission in case the candidate is, otherwise well qualified.

7. Minimum educational and other qualifications required for direct recruits.

Essential :

B.Com. or B.Sc./B.A. with Economics/Mathematics/Statistics as one of the subjects or its equivalent from a recognised University.

Desirable :

- (i) Atleast 3 years experience in the field of collection and compilation of statistical data.
- (ii) Higher qualification in any of the above subjects.
- (iii) Knowledge of customs, manners and dialect of Himachal Pradesh and suitability for appointment in the peculiar conditions prevailing in the Pradesh.

8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of the promotees.

Age: N. A.

Educational Qualification :
Yes.

9. Period of probation, if any.

Two years subject to such further extension for a period not exceeding one year as may

be ordered by the competent authority in special circumstances and for reasons to be recorded in writing.

10. Method of recruitment, whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods.

11. In case of recruitment by promotion, deputation, transfer, grades from which promotions/deputation/transfer is to be made.

By promotion from amongst the common clerical cadre (which include clerks/senior clerks/Junior Assistants with atleast 5 years regulars service or regular combined with continuous *ad hoc* (rendered upto 31-3-1991) service, if any in the grade.

(1) In all cases of promotion, the *ad hoc* service rendered in the feeder post upto 31-3-91, if any prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the condition:—

(1) that in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis upto 31-3-91) in the feeder post in view of the provisions referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion.

*Explanation.—*The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-servicemen recruited under the provisions of Rule 3 of Demobilised Armed Forces Personal (Reservation of Vacancies in Himachal

State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.	examination or interview conducted by the H. P. Public Service Commission or other recruiting authority, but the offer of appointment may be given only after the necessary eligibility certificate has been issued to him by the Government of India.
(2) Similarly, in all cases of confirmation, <i>ad hoc</i> service rendered on the feeder post upto 31-3-91, if any, prior to the regular appointment against such post shall be taken into account towards the length of service :	15. Selection for appointment to post by direct recruitment.
Provided that <i>inter-se</i> seniority as a result of confirmation after taking into account <i>ad hoc</i> service rendered upto 31-3-1991 shall remain un-changed.	Selection for appointment to the post in the case of direct recruitment shall be made on the basis of <i>viva-voce</i> test if the Himachal Pradesh Public Service Commission or other recruiting authority, as the case may be, so considered necessary or expedient by a written test, or practical test the standard or syllabus etc. of which will be determined by the commission/other recruiting authority as the case may be.
12. If a Departmental Promotion Committee exists, what is its composition ?	16. Reservation
As may be constituted by the Government from time to time.	The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes / Scheduled Tribes/ Backward Classes/Other categories of persons issued by the Himachal Pradesh Government from time to time.
13. Circumstances under which the H.P. P.S.C. is to be consulted in making recruitment.	17. Power to relax
As required under the law.	Where the State Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be recorded in writing and in consultation with the Himachal Pradesh Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons or posts.
14. Essential requirement for a direct recruitment.	A candidate for appointment to any service or post must be: (a) a citizen of India, or (b) a subject of Nepal, or (c) a subject of Bhutan, or (d) a Tibetan refugee who came over to India before the 1st January, 1962 with the intention of permanently settling in India, or (e) a person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka, East African Countries of Kenya, Uganda, the United Republic of Tanzania (Formerly Tanganyika and Zanzibar), Zambia, Malawi, Zaire and Ethiopia with the intention of permanently settling in India :
Provided that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India.	सिचाई एवं जन स्वास्थ्य विभाग अधिसूचना शिमला-2, 4 मार्च, 1996
A candidate in whose case a certificate of eligibility is necessary may be admitted to an	संघ्या सिचाई-ए०(३)-९/९४.—हिमाचल प्रदेश के राज्यपाल; भारत के संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, सिचाई एवं जन स्वास्थ्य विभाग, हिमाचल प्रदेश में वृत्त मुद्य प्रालृपकार वर्ग-III (ग्राजपत्रित) तकनीक सेवायें पद के लिए इस अधिसूचना में संलग्न उपावन्ध “अ” के अनुसार भर्ती एवं प्रोन्ति नियम बनाते हैं, अर्थात् :— 1. संक्षिप्त नाम और प्रारम्भ.—(1) इन नियमों का संक्षिप्त नाम हिमाचल प्रदेश सिचाई एवं जन स्वास्थ्य विभाग वृत्त मुद्य प्रालृपकार वर्ग-III (ग्राजपत्रित) पद के भर्ती एवं प्रोन्ति नियम 1996 है। (2) ये नियम राजपत्र हिमाचल प्रदेश में प्रकाशित होने की तारीख से प्रवृत्त होंगे। 2. निरसन और व्यावृति.—(1) लोक निर्माण विभाग द्वारा अधिसूचना संघ्या पी० डब्ल्यू० १०-१४७/५७-१-४८८७, तारीख १८-१-६१ द्वारा अधिसूचित और अधिसूचना संघ्या पी० डब्ल्यू०-२-वी० (१३) २०/८४, तारीख २७-४-९४ द्वारा सिचाई एवं जन स्वास्थ्य विभाग को लागू हिमाचल प्रदेश पब्लिक वर्क्स डिपार्टमेंट मोर्डीनिट सर्विसीज, कास-III, ड्राफ्टसमैन एंड ट्रेसज़ एक्लॉटमैन्ट

रुल्ज, 1961 का एक द्वारा उस हृदय तक निरमन किया जाता है जहाँ तक ये सिचाई एवं जन स्वास्थ्य विभाग में वृत्त मुख्य प्रारूपकार के पदों से सम्बन्धित है।

(2) ऐसे निरमन से पूर्व उप-नियम 2 (1) के अधीन निरसित सुसंगत नियमों के अधीन की गई किसी नियुक्ति या वात या कार्यवाही इन नियमों के अधीन विधि मान्य रूप से की गई समझी जायेगी।

आदेश द्वारा,
सी० पी० मुजाया,
वित्तायुक्त एवं सचिव।

उपाधन्य “य”

सिचाई एवं जन स्वास्थ्य विभाग, हिमाचल प्रदेश में वृत्त मुख्य प्रारूपकार वर्ग-III (प्रराजपत्रित) के पद के लिए भर्ती एवं प्रोन्नति नियम

1. पद का नाम	वृत्त मुख्य प्रारूपकार।
2. पदों की संख्या	10 (दस)
3. वर्गीकरण	वर्ग-III (प्रराजपत्रित) तकनीकी सेवाएं
4. वेतनमान	रुपये 2130-70-2550-75- 3000-100-3700.
5. चयन पद अथवा अचयन पद	अचयन
6. सीधी भर्ती किए जाने वाले व्यक्तियों के लिए आयु।	लागू नहीं
7. सीधी भर्ती किए जाने वाले व्यक्तियों के लिये अपेक्षित व्यूनतम शैक्षणिक और अन्य अर्हताएं।	लागू नहीं
8. सीधी भर्ती किए जाने वाले व्यक्तियों के लिए विहित ग्राम्य व शैक्षणिक अर्हताएं, प्रोन्नति की दशा में लागू होंगी या नहीं।	लागू नहीं
9. परिवीक्षा की प्रवधि, यदि कोई हो।	दो वर्ष, जिसका एक वर्ष से अनतिविक ऐसी और अवधि के लिए विस्तार किया जा सकेगा जैसा कि सभी प्राधिकारी विशेष परिस्थितियों में और लिखित कारणों से आदेश दे।
10. भर्ती की पद्धति।—भर्ती सीधी होगी या प्रोन्नति या प्रतिनियुक्ति या स्थानान्तरण द्वारा और विभिन्न पद्धतियों द्वारा भरी जाने वाली विविधियों की प्रतिशतता।	शत-प्रतिशत प्रोन्नति द्वारा
11. प्रोन्नति, प्रतिनियुक्ति या स्थानान्तरण की दशा में श्रेणियां, जिनसे प्रोन्नति, प्रतिनियुक्ति या स्थानान्तरण किया जायेगा।	मण्डलीय मुख्य प्रारूपकारों में से प्रोन्नति द्वारा जिन्होंने ड्राफ्टसमन ट्रैड में डिप्लोमा प्राप्त किया हो तथा नियमित सेवाकाल या (31-3-91 तक ग्रेड में की गई, लगातार तदर्थ सेवा, यदि कोई हो, को शामिल करके तीन वर्ष का नियमित सेवाकाल हो।

1. प्रोन्नति के सभी मामलों में पद पर नियमित नियुक्ति से-पूर्व सम्भरण पद में 31-3-91 तक की गई तदर्थ सेवा यदि कोई हो,

प्रोन्नति के लिए इन नियमों में यथा विहित सेवाकाल के लिए निम्नलिखित शर्तों के अधीन रहते हुए गणना में ली जाएगी—

(1) उन सभी मामलों में जिनमें कोई कनिष्ठ व्यक्ति संभरण पद में अपने कुल सेवाकाल (31-3-91 तक की गई तदर्थ सेवा को शामिल करके) के आधार पर उपर्युक्त निर्दिष्ट उपवन्धों के कारण विचार किए जाने का पात्र हो जाता है, वहाँ उससे वरिष्ठ सभी व्यक्ति विचार किये जाने के पात्र समझे जाएंगे और विचार करते समय कनिष्ठ व्यक्ति से ऊपर रखे जाएंगे :

परन्तु उन सभी पदवारियों को जिन पर प्रोन्नति के लिए विचार किया जाता है, कम से कम तीन वर्ष व्यूनतम अर्हता सेवा या पद के भर्ती एवं प्रोन्नति नियमों में विहित सेवा जो भी कम होगी :

परन्तु यह और भी कि जहाँ कोई ध्यक्ति पूर्वगामी परन्तुक की अपेक्षाओं के कारण प्रोन्नति किए जाने सम्बन्धी विचार के लिए अपावृद्धि जाता है, वहाँ, कनिष्ठ व्यक्ति भी ऐसी प्रोन्नति के विचार के लिए अपावृद्धि समझा जाएगा।

स्पष्टीकरण—अन्तिम परन्तुक के अन्तर्गत कनिष्ठ पदवारी प्राप्ति के लिए अपावृद्धि नहीं समझा जायेगा यदि वरिष्ठ अपावृद्धि व्यक्ति भर्ती पूर्व सैनिक है, जिसे डिमोविलाईजड आर्मड कॉर्सिज परसोनल (रिजर्वेशन आफ वैकेन्सीज इन हिमाचल स्टेट नान टैक्नीकल सर्विसिज) रुल्ज, 1972 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो तथा इसके अन्तर्गत वरीयता लाभ दिए गए हों या जिसे एक्स-सर्विसमैन (रिजर्वेशन आफ वैकेन्सीज इन दी हिमाचल प्रदेश टैक्नीकल सर्विसिज) रुल्ज, 1985 के नियम 3 के प्रावधानों के अन्तर्गत भर्ती किया गया हो।

(2) इसी प्रकार स्थाईकरण के सभी मामलों में ऐसे पद पर नियमित नियुक्ति से पूर्व 31-3-91 तक की गई तदर्थ सेवा, यदि कोई हो, सेवाकाल के लिए गणना में ली जाएगी :

परन्तु 31-3-1991 तक तदर्थ सेवा को गणना में लेने के पश्चात जो स्थाईकरण होगा उसके फलस्वरूप पारस्परिक वरीयता अपरिवर्तित रहेगी।

जैव वि समय-समय पर सरकार द्वारा गठित की जाए।

जैसा कि विधि द्वारा अपेक्षित हो।

आयोग से परामर्श किया जायेगा।

14. सीधी भर्ती किए जाने वाले लागू नहीं व्यक्तियों के लिए अपेक्षा।

15. सीधी भर्ती द्वारा पद पर लागू नहीं नियुक्ति के लिए चयन।

16. आरक्षण

उक्त सेवा में नियुक्ति, हिमाचल सरकार द्वारा समय-समय पर अनुसूचित जातियों/अनुसूचित जनजातियों/पिछड़े वर्गों और अन्य प्रवर्ग के व्यक्तियों के लिए सेवाओं में आरक्षण की वावत जारी किए गये अनुदेशों के अधीन होगी।

17. शिथिल करने की शक्ति

जहां राज्य सरकार की यह राय हो कि ऐसा करना आवश्यक या समीचीन है, वहां यह कारणों को अभिलिखित करके हिमाचल प्रदेश लोक सेवा आयोग के परामर्श से, श्रादेश द्वारा इन नियमों के किन्हीं उपबन्धों को किसी वर्ग या व्यक्तियों के प्रवर्ग या पदों की वावत शिथिल कर सकेगा।

[Authoritative English text of this Department Notification No. IPH-A(3)-9/94, dated the 4th March, 1996 as required under Article 348 (3) of the Constitution of India].

IRRIGATION & PUBLIC HEALTH DEPARTMENT

NOTIFICATION

Shimla-2, the 4th March, 1996

No. IPH-A(3)-9/94.—In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor, Himachal Pradesh, in consultation with the Himachal Pradesh Public Service Commission, is pleased to make the Recruitment and Promotion Rules for the post of Circle Head Draftsman (Class-III Non-Gazetted) in Irrigation and Public Health Department, as per Annexure-A appended to this notification, namely:—

1. *Short title and commencement.*—(1) These rules may be called Himachal Pradesh Department of Irrigation and Public Health Circle Head Draftsman (Class-III Non-Gazetted) Recruitment and Promotion Rules, 1996.

(2) These rules shall come into force from the date of their publication in the Rajapatra, Himachal Pradesh.

2. *Repeal and saving.*—(1) The Himachal Pradesh PWD subordinate services Class-III Draftsman and Tracers, Recruitment and Promotion Rules, 1961 notified *vide* notification No. PWE-147/57-II-4387 dated 18-1-1961 by the Public Works Department and made applicable to the Irrigation Public Health Department *vide* Notification No. PBW-2-B (13) 20/84 dated 27-4-94 are hereby repealed to the extent these are applicable to the Irrigation and Public Health Department for the posts of Circle Head Draftsman.

(2) Notwithstanding such repeal any appointment made or any thing done or action taken under the relevant rules so repealed under Sub-Rule 2 (1) *supra* shall be deemed to have been validly made, done or taken under these rules.

By order,
C. P. SUJAYA,
Financial Commissioner-cum-Secretary.

RECRUITMENT AND PROMOTION RULES FOR THE POST OF CIRCLE HEAD DRAFTSMAN (NON-GAZETTED) CLASS-III IN THE DEPARTMENT OF IRRIGATION & PUBLIC HEALTH, HIMACHAL PRADESH

1. Name of the post	Circle Head Draftsman
2. Number of posts	10 (Ten)
3. Classification	Class-III (Non-Gazetted) Technical Services.
4. Scale of pay	Rs. 2130-70-2550-75-3000-100-3700.
5. Whether selection post or non-selection post.	Non-selection
6. Age for direct recruitment.	Not Applicable
7. Minimum educational and other qualifications required for direct recruits.	Not Applicable
8. Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.	Not applicable
9. Period of probation, if any.	Two years subject to such further extension for a period not exceeding one year as may be ordered by the competent authority in special circumstances and for reasons to be recorded in writing.
10. Method of recruitment—whether by direct recruitment or by promotion, deputation, transfer and the percentage of vacancies to be filled in by various methods.	100% by promotion
11. In case of recruitment by promotion, deputation/transfer, grades from which promotion / deputation/transfer is to be made.	By promotion from amongst the Divisional Head Draftsman who possess Diploma in Draftsman Trade with three years regular service or regular combined with continuous <i>ad hoc</i> (rendered upto 31-3-91) service in the grade.
(i)	In all cases of promotion, the <i>ad hoc</i> service rendered in the feeder post upto 31-3-1991, if any, prior to regular appointment to the post shall be taken into account towards the length of service as prescribed in these rules for promotion subject to the conditions:—

(i) That in all cases where a junior person becomes eligible for consideration by virtue of his total length of service (including the service rendered on *ad hoc* basis upto 31-3-91) in the feeder post in view of the

provisions referred to above, all persons senior to him in the respective category/post/cadre shall be deemed to be eligible for consideration and placed above the junior person in the field of consideration:

Provided that all incumbents to be considered for promotion shall possess the minimum qualifying service of at least three years or that prescribed in the Recruitment and Promotion Rules for the post, whichever is less:

Provided further that where a person becomes ineligible to be considered for promotion on account of the requirements of the preceding proviso, the person(s) junior to him shall also be deemed to be ineligible for consideration for such promotion

Explanation.—The last proviso shall not render the junior incumbents ineligible for consideration for promotion if the senior ineligible persons happened to be Ex-servicemen recruited under the provisions of rule 3 of Demobilised Armed Forces Personnel (Reservation of Vacancies in Himachal State Non-Technical Services) Rules, 1972 and having been given the benefit of seniority thereunder or recruited under the provisions of Rule 3 of Ex-servicemen (Reservation of Vacancies in the Himachal Pradesh Technical Services) Rules, 1985 and having been given the benefit of seniority thereunder.

(2) Similarly, in all cases of confirmation, *ad hoc* service rendered on the feeder post upto 31-3-1991, if any, prior to the regular appointment against such post shall be taken into account towards the length of service:

Provided that *inter-se* seniority as a result of confirmation after taking into account *ad hoc* service rendered upto 31-3-1991 shall remain unchanged.

12. If a Departmental Promotion Committee exists, what is its composition?

As may be constituted by the Government from time to time.

13. Circumstances under which the Himachal Pradesh Public Service Commission is to be consulted in making recruitment.

As required under the Law.

14. Essential requirement for direct recruitment.

Not applicable

15. Selection for appointment to the post by direct recruitment.

Not applicable

16. Reservation

The appointment to the service shall be subject to orders regarding reservation in the service for Scheduled Castes / Scheduled Tribes/ Backward Classes/Other categories of persons issued by the Himachal Pradesh Government from time to time.

17. Power to relax

Where the State Government is of the opinion that it is necessary or expedient to do so, it may, by order for reasons to be record in writing and in consultation with the H. P. P. C. relax any of the provisions of these rules with respect to any class or category or persons or posts.

LABOUR DEPARTMENT

ADDENDUM

Shimla-171001, the 22nd April, 1995

No. 11-6/85 (LAB) ID-Part-IV.—The word, "Supervisor" be added in the second line to the term of reference after Shri Vinod Kumar in this Department Notification No. 11-6/85 (LAB) ID-Part-III, dated the 28th April, 1993 in the case titled *Shri Vinod Kumar versus the Executive Engineer, H.P.P.W.D., Shimla Division No. 1, Shimla*.

CORRIGENDUM

Shimla-171001, the 21st May, 1996

No. 11-23/84 (LAB) ID-Part-I.—In partial modification of this department Notification of even number, dated the 18th March, 1996, the name of the workers, Union be read as, "Himachal Desi Shrab Karkhana Karamchari Sangh" instead of "Country Liquor Bottling Plant workers' Union."

Sd/-
Labour Commissioner.

SOCIAL AND WOMENS WELFARE DEPARTMENT

NOTIFICATION

Shimla-2, the 23rd May, 1996

No. Kalyan Ga (10)-6/82-10.—The Governor, Himachal Pradesh, is pleased to make the following rules to amend the H. P. Grant of Rehabilitation Assistance to the Inmates of State Home/Bal Balika Ashrams Rules, as notified *vide* this Department notification of even number, dated 23-2-89 namely:—

The H.P. Grant of Rehabilitation Assistance to the Inmates of State Home/Bal Bālīka Ashrams Rules (1st amendment) 1996.

1. *Short title and commencement.*—These rules shall be called the H.P. Grant of Rehabilitation Assistance to the Inmates of State Home/Bal Bālīka Ashrams (1st amendment) Rules, 1996.

2. These rules shall come into force with immediate effect.

3. *Amendment to Rule-4.*—In rule-4 of H.P. Grant of Rehabilitation Assistance to the Inmates of State Home/Bal Bālīka Ashrams Rules, the figures Rs. 3000/- shall be substituted by figures Rs. 6000/-

By order,
PARMINDER MATHUR,
Commissioner-cum-Secretary (Welfare).

भाग 4—स्थानीय स्वायत शासन, म्यूनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एसिया तथा पंचायती राज विभाग ।

-शून्य-

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

इश्तहार

ब अदालत श्री पी० आर० वर्मा, सहायक समाहर्ता, प्रथम श्रेणी, भटियात चुवाड़ी, जिला चम्बा, हिमाचल प्रदेश

मिसल नं०

तारीख दायर.....

16/86

मान सिंह पुत्र चतरो राम, निवासी बलेला, परगना चूहन ..प्रार्थी ।

बनाम

1. श्रीमती गुडो पुत्री ज्ञानी पत्नी खलदू, निवासी कल्याइका, परगना चूहन, 2. श्रीमती कमलो पुत्री ज्ञानी पत्नी संसार चंद, निवासी कन्डई, परगना चूहन, 3. श्रीमती गीतो विधवा ज्ञानी, निवासी बलेला, परगना चूहन, 4. श्रीं गांधो पुत्र श्रीधर, निवासी बलेला, परगना चूहन ..प्रतिवादीगण ।

दरखास्त तकसीम भूमि खाता नं० 105/115, किता 4, रकवा तादादी 5-2, मौजा चूहन, खाता नं० 32/35, किता 3, रकवा 1-15, मौजा गढ़ व खाता नं० 41/48, किता 11, रकवा 10-14, मौजा कन्डई, तहसील भटियात, जिला चम्बा ।

उपरोक्त मुकदमा उनवान वाला में प्रतिवादीगण नं० 1 से 4 को कई बार समन जारी किये गए । परन्तु उन पर समन को तामोल सही तरीका से नहीं हो पा रही है जिससे इस अदालत को पूर्ण विश्वास हो चुका है कि प्रतिवादीगण पर साधारण तरीका से समन की तामोल होना असम्भव है ।

अन: प्रतिवादीगण को इस इश्तहार द्वारा सूचित किया जाता है कि वे मिति 31-7-96 को असालतन या वकालतन बमुकाम चुवाड़ी प्रातः 10 बजे हाजिर वदालत होकर पैरवी मुकदमा करें । अन्यथा हाजिर न आने की मूरत में उनके खिलाफ एकतरफा कार्यवाही अमल में लाई जाएगी ।

आज दिनांक 17-6-96 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

पी० आर० वर्मा,
महायक समाहर्ता, प्रथम श्रेणी,
भटियात (चुवाड़ी), जिला चम्बा ।

ब अदालत श्री देस राज, कार्यकारी दण्डाधिकारी, सिंहन्ता, जिला चम्बा (हि०प्र०) ।

श्री भूरी सिंह पुत्र श्री मोती मिह, निवासी समोट, ग्राम पंचायत ममोट, उपन्तहसील मिहन्ता, जिला चम्बा (हि०प्र०) ।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री भूरी सिंह पुत्र श्री मोती मिह निवासी समोट, उपन्तहसील मिहन्ता, जिला चम्बा ने इस अदालत में गजारिश की है कि उसका जन्म मिति 12-4-1946 को हुआ है लेकिन नाम व जन्म तिथि पंचायत रिकार्ड में दर्ज नहीं है, जो दर्ज करवाई जावे ।

अतः सर्वसाधारण जनता को इस अदालती इश्तहार द्वारा सूचित किया जाना है कि उक्त नाम व जन्म तिथि मन्त्रनियन्त्रित पंचायत में दर्ज

करने बारा कोई उजर व एतराज हो तो वह मिति 24-7-1996 को प्रातः 10-00 बजे असालतन या वकालतन हाजर अदालत आकर पेश करें, अन्यथा एकतरफा कार्यवाही अमल में लाई जावेगी ।

आज दिनांक 19-6-1996 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

देस राज,
कार्यकारी दण्डाधिकारी,
सिंहन्ता, जिला चम्बा ।

ब अदालत श्री देस राज, कार्यकारी दण्डाधिकारी, सिंहन्ता, जिला चम्बा (हि० प्र०)

श्री मरहूद पुत्र श्री खैबरु निवासी बलाना उपन्तहसील मिहन्ता, जिला चम्बा ।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री मरहूद पुत्र श्री खैबरु निवासी बलाना उपन्तहसील मिहन्ता ने इस अदालत को प्रार्थना पत्र पेश किया है कि उसके लड़के संजय कुमार की जन्म तिथि ग्राम पंचायत बलाना के रिकार्ड में 27-4-1977 दर्ज की गई है जो कि गलत दर्ज है । उक्त संजय कुमार की सही जन्म तिथि 27-4-1983 है जिसकी दरूस्ती पंचायत अभिलेख में किये जाने के आदेश पारित किये जावे ।

अतः सर्वसाधारण को इस इश्तहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त संजय कुमार की जन्म तिथि 27-4-1983 बारा एतराज हो तो वह अपना उजर/एतराज असालतन या वकालतन मिति 24-7-1996 को प्रातः 10-00 बजे हाजर अदालत आकर पेश कर सकता है अन्यथा एकतरफा कार्यवाही अमल में लाई जावेगी तथा ग्राम पंचायत बलाना को संजय कुमार की जन्म तिथि 27-4-1983 दर्ज करने के आदेश जारी कर दिये जावेंगे ।

आज दिनांक 19-6-1996 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

देस राज,
कार्यकारी दण्डाधिकारी,
सिंहन्ता, जिला चम्बा ।

ब अदालत श्री देस राज, कार्यकारी दण्डाधिकारी, सिंहन्ता, जिला चम्बा (हि० प्र०) ।

श्रीमती राधा देवी पत्नी श्री काली दास, निवासी लाहड़ी, ग्राम पंचायत परम्पराया उपन्तहसील मिहन्ता, जिला चम्बा ।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती राधा देवी पत्नी श्री काली दास, निवासी लाहड़ी उपन्तहसील मिहन्ता, जिला चम्बा ने इस अदालत में प्रार्थना पत्र

मुझारा है कि उसकी लड़की मिनाक्षी पुत्री काली दाम का जन्म मिति 26-3-1991 को हुआ है जो कि पंचायत अधिकार में दर्ज न करवाया है।

अतः सर्व साधारण को इस इक्तहार द्वारा सूचित किया जाता है कि यदि मिनाक्षी की जन्म तिथि 26-3-1991 वारा कोई उजर व एतराज हो तो वह मिति 24-7-1996 को प्रातः 10.00 बजे असालतन या वकालतन हाजर अदालत होकर अपना उजर पेश करें। अन्यथा मिनाक्षी का नाम व जन्म तिथि सम्बन्धित पंचायत को दर्ज करने के आदेश पारित कर दिये जावेंगे।

आज दिनांक 19-6-1996 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

देस राज,
कार्यकारी दण्डाधिकारी,
मिहन्ता, जिला चम्बा।

In the Court of Shri R. P. Verma, Senior Sub Judge,
Hamirpur, Himachal Pradesh.

Succession Act petition No. : 8 of 1996.

Date of institution : 25-4-96

Date of hearing : 3-8-96

Birbal s/o Balanda r/o ward No. 8 M. C. Area
Hamirpur, District Hamirpur (H. P.) Petitioner.

Versus

The general public .. Respondent.

Application u/s 276 of the Indian Succession Act
for issuance of probate of will.

To

The general public.

Whereas the above noted petitioner has moved an application under the Indian Succession Act praying therein that probate of will in respect of the will of Shri Sunka Ram died on 9-1-88, may be issued in his favour.

Hence this proclamation is hereby issued to the General Public and kith and kins of the deceased to file their objection if any, before this court on or before 3-8-96 at 10.00 A. M. either personally or through authorised agent, failing which Probate of will, as sought to be issued shall be granted *ex parte* in favour of the petitioner.

Given under my hand and the seal of this Court today the 14th day of June, 1996.

Seal.

R. P. VERMA,
Senior Sub-Judge, Hamirpur,
District Hamirpur.

In the Court of Shri Ravinder Parkash Senior Sub-Judge,
Hamirpur (H. P.)

Guardian and Ward Act Petition No. 1/96

Date of Institution : 12-3-96

Date of hearing : 23-5-1996.

Veena Kumari w/o Shri Diwan Chand son of Pala Ram, resident of village Dulehra, Tappa Bajuri, tehsil and district Hamirpur (H. P.) .. Petitioner.

Versus

General Public .. Respondent.

To
Petition under section 7 and 29 of Guardian and Ward Act, 1890 for appointment of the petitioner as guardian of minor son Raman Kumar s/o Roomi Ram, r/o Dulehra tappa Bajuri, tehsil and district Hamirpur, Himachal Pradesh.

Versus
The General public

Whereas the above noted petitioner has moved an application in this Court under section 7 and 29 of Guardian and Ward Act, 1890 for appointment of the petitioner as guardian to draw petition on behalf of minor son Raman Kumar as Shri Roomi Ram died on 31-7-85.

Hence this proclamation is hereby issued to general public and kith and kins of the deceased Roomi Ram for filing objections, if any before this Court on 6-8-96 at 10. A. M. personally or through an authorised agent or pleader to defend the case failing which the petition will be heard and disposed of *ex parte*.

Given under my hand and seal of this Court today the 3rd day of June, 1996.

Seal.

RAVINDER PARKASH,
Senior Sub-Judge,
Hamirpur (H. P.)

ब अदालत श्री नेत्र सिंह भारद्वाज, नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश

केस नं 0 131/96 तारीख पेशी 8-8-1996
श्री लच्छमण वनाम सर्वसाधारण एवं आम जनता।

प्रार्थना-पत्र अधीन धारा 13(3) जन्म/मृत्यु पंजीकरण अधिनियम 1969.

श्री लच्छमण सुपुत्र श्री वालू, निवासी मुहाल ठाकुर दुवारा, डा० ठाकुर दुवारा, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश ने इस कार्यालय में प्रार्थना पत्र दिया है कि उसके लड़के सुनील कुमार का जन्म दिनांक 11-3-1991 को हुआ है, मगर ग्राम पंचायत अरला के अधिकार में दर्ज न है।

अतः इस इक्तहार राजपत्र हिमाचल प्रदेश द्वारा सर्वसाधारण एवं आम जनता को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक पेशी 8-8-1996 को सुबह 10 बजे असालतन या वकालतन हजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काविल समायत न होगा तथा सुनील कुमार पुत्र श्री लच्छमण की जन्म तिथि 11-3-1991 के पंजीकरण के आदेश सम्बन्धित पंचायत की पारित कर दिये जावेंगे।

आज दिनांक 3-6-96 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

नेत्र सिंह भारद्वाज,
कार्यकारी दण्डाधिकारी, पालमपुर,
जिला कांगड़ा, ह० प्र०

ब अदालत श्री नेत्र सिंह भारद्वाज, नायब तहसीलदार एवं
कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश

केस नं 0 132/96

तारीख पेशी 8-8-1996.

श्री लच्छमण वनाम सर्वसाधारण एवं आम जनता।

प्रार्थना-पत्र अधीन धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री लच्छमण सुपुत्र श्री वालू, निवासी मुहाल ठाकुर दुवारा, डा० ठाकुर

द्वारा, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश ने इस कार्यालय में प्रार्थना-पत्र दिया है कि उसके लड़के गोपाल का जन्म दिनांक 15-4-1989 को हुआ है, मगर ग्राम पंचायत अरला के अभिलेख में दर्ज न है।

अतः इस ईश्तहार राजपत्र, हिमाचल प्रदेश द्वारा सर्वसाधारण एवं आम जनता को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक पेशी 8-8-1996 को मुबह 10 बजे असालतन या बकालतन हाजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काविले समायत न होगा तथा गोपाल पुत्र श्री लच्छमण की जन्म तिथि 15-4-1989 पंजीकरण के आदेश सम्बन्धित पंचायत को पारित कर दिये जायेंगे।

आज दिनांक 3-6-1996 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

नेतर सिंह भारद्वाज,
कार्यकारी दण्डाधिकारी, पालमपुर,
जिला कांगड़ा (हि० प्र०)।

व अदालत श्री नेतर सिंह भारद्वाज, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश

केस नं 133/96

तारीख पेशी 8-8-1996

श्री वाला राम

वनाम सर्वसाधारण एवं आम जनता।

प्रार्थना-पत्र अधीन धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969।

श्री वाला राम पुत्र श्री मिच्चू राम, निवासी मुहाल अरला, डा० अरला, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश ने इस कार्यालय में प्रार्थना-पत्र दिया है कि उसकी लड़की फूलांदेवी का जन्म दिनांक 22-12-1991 को हुआ है, मगर ग्राम पंचायत अरला के अभिलेख में दर्ज न है।

अतः इस ईश्तहार राजपत्र, हिमाचल प्रदेश द्वारा सर्वसाधारण एवं आम जनता को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक पेशी 8-8-1996 को मुबह 10 बजे असालतन या बकालतन हाजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काविले समायत न होगा तथा अनिल कुमार सुपुत्र श्री कर्म चन्द की जन्म तिथि 30-7-1986 पंजीकरण के आदेश सम्बन्धित पंचायत को पारित कर दिये जायेंगे।

आज दिनांक 4-6-1996 को हमारे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

नेतर सिंह भारद्वाज,
कार्यकारी दण्डाधिकारी, पालमपुर,
जिला कांगड़ा (हि० प्र०)।

व अदालत श्री नेतर सिंह भारद्वाज, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश

केस नं 0 134/96

तारीख पेशी 8-8-1996

वाला राम

वनाम सर्वसाधारण एवं आम जनता।

प्रार्थना-पत्र अधीन धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969।

श्री वाला राम पुत्र श्री मिच्चू राम, निवासी मुहाल अरला, डा० अरला, तहसील पालमपुर, जिला कांगड़ा, हिमाचल

प्रदेश ने इस कार्यालय में प्रार्थना-पत्र दिया है कि उसके पोते विल्ला का जन्म दिनांक 6-9-1991 को हुआ है, मगर ग्राम पंचायत अरला के अभिलेख में दर्ज न है।

अतः इस ईश्तहार राजपत्र, हिमाचल प्रदेश द्वारा सर्वसाधारण एवं आम जनता को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक पेशी 8-8-1996 को सुबह 10 बजे असालतन या बकालतन हाजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काविले समायत न होगा तथा विल्ला पुत्र श्री प्रंस मिह की जन्म तिथि 6-9-1991 पंजीकरण के आदेश सम्बन्धित पंचायत को पारित कर दिये जायेंगे।

आज दिनांक 4-6-1996 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

नेतर सिंह भारद्वाज,
कार्यकारी दण्डाधिकारी, पालमपुर,
जिला कांगड़ा (हि० प्र०)।

व अदालत श्री नेतर सिंह भारद्वाज, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगड़ा (हि० प्र०)

केस नं 0 : 136/96

तारीख पेशी 8-8-96

कर्म चन्द

बनाम

सर्वसाधारण एवं आम जनता

प्रार्थना पत्र अधीन धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969।

श्री कर्म चन्द सुपुत्र श्री दुनी चन्द, निवासी मुहाल मट्ट, डा० कुरल, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश ने इस कार्यालय में प्रार्थना पत्र दिया है कि उसके लड़के अनिल कुमार का जन्म दिनांक 30-7-1986 को हुआ है, मगर ग्राम पंचायत कुरल के अभिलेख में दर्ज न है।

अतः इस ईश्तहार राजपत्र, हिमाचल प्रदेश द्वारा सर्वसाधारण एवं आम जनता को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक पेशी 8-8-96 को सुबह 10 बजे असालतन या बकालतन हाजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काविले समायत न होगा तथा अनिल कुमार सुपुत्र श्री कर्म चन्द की जन्म तिथि 30-7-1986 पंजीकरण के आदेश सम्बन्धित पंचायत को पारित कर दिये जायेंगे।

आज दिनांक 5-6-1996 को हमारे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

नेतर सिंह भारद्वाज,
कार्यकारी दण्डाधिकारी,
पालमपुर, हिमाचल प्रदेश।

व अदालत श्री नेतर सिंह भारद्वाज, नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश

केस नं 0 135/96

तारीख पेशी 8-8-96

जौफी राम उर्फ रणजीत सिंह

वनाम सर्वसाधारण एवं आम जनता।
प्रार्थना-पत्र अधीन धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969।

श्री जौफी राम सुपुत्र श्री शम्भू राम, निवासी मुहाल धार, डा० सगूर तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश ने इस कार्यालय में प्रार्थना-पत्र दिया है कि उसकी लड़की डिम्पल का जन्म दिनांक 13-9-90 को हुआ है, मगर ग्राम पंचायत भुआणा के अभिलेख में दर्ज न है।

अतः इस ईश्तहार राजपत्र, हिमाचल प्रदेश द्वारा सर्वसाधारण एवं आम जनता को सूचित किया जाता है कि यदि इस बारे किसी

व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक पेशी 8-8-96 को सुबह 10 बजे असालतन या वकालतन हाजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काबिले समायत न होगा तथा डिम्पल मुपुत्री श्री जौफी राम उर्फ रणजीत सिंह की जन्म तिथि 13-9-90 पंजीकरण के आदेश सम्बन्धित पंचायत को पारित कर दिये जायेंगे।

आज दिनांक 5-6-96 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

नेतर सिंह भारद्वाज,
कार्यकारी दण्डाधिकारी,
पालमपुर, हिमाचल प्रदेश।

ब अदालत श्री नेतर सिंह भारद्वाज, नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी, पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश

केत नं 0 137/96 तारीख पेशी 8-8-96

जौफी राम उर्फ रणजीत सिंह वनाम सर्वसाधारण एवं ग्राम जनता प्रार्थना-पत्र अधीन धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री जौफी राम मुपुत्र श्री गम्भू राम, निवासी मूहाल धार, डा० सगूर, तहसील पालमपुर, जिला कांगड़ा, हिमाचल प्रदेश ने इस कार्यालय में प्रार्थना-पत्र दिया है कि उसके लड़के मोहन सिंह कौड़ल का जन्म दिनांक 26-11-1994 को हुआ है, मगर ग्राम पंचायत भुग्राणा के अभिलेख में दर्ज न है।

अतः इस ईश्तहार राजनव, हिमाचल प्रदेश द्वारा सर्वसाधारण एवं ग्राम जनता को सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक पेशी 8-8-1996 को सुबह 10 बजे असालतन या वकालतन हाजिर अदालत आकर प्रस्तुत कर सकता है। बाद गुजरने मियाद कोई भी उजर या एतराज काबिले समायत न होगा तथा मोहन सिंह कौड़ल सुपुत्र श्री जौफी राम उर्फ रणजीत सिंह की जन्म तिथि 26-11-94 पंजीकरण के आदेश सम्बन्धित पंचायत को पारित कर दिये जायेंगे।

आज दिनांक 5-6-96 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

नेतर सिंह भारद्वाज,
कार्यकारी दण्डाधिकारी,
पालमपुर (हि०प्र०)।

ब अदालत श्री बलबीर सिंह लगवाल, कार्यकारी दण्डाधिकारी, इन्दौरा, जिला कांगड़ा, हिमाचल प्रदेश

श्रीमती नवावी विधवा मरादा, निवासी चनौर, तहसील इन्दौरा, जिला कांगड़ा, हिमाचल प्रदेश व ग्राम पंचायत चनौर, तहसील इन्दौरा के रिकार्ड में दर्ज नहीं है।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु रजिस्ट्रीकरण एकट, 1969.

श्रीमती नवावी विधवा मरादा, निवासी चनौर, तहसील इन्दौरा, जिला कांगड़ा ने इस कार्यालय में प्रार्थना-पत्र प्रस्तुत किया है कि उसके लड़के जूम्हा का जन्म दिनांक 10-8-1990 को हुआ था, लेकिन उसकी जन्म तिथि ग्राम पंचायत चनौर, तहसील इन्दौरा के रिकार्ड में दर्ज नहीं है।

अतः सर्वसाधारण को इस ईश्तहार द्वारा सूचित किया है कि इस बारे किसी व्यक्ति का कोई उजर या एतराज हो तो वह

दिनांक 30-7-1996 को सुबह 10.00 बजे इस अदालत स्थित इन्दौरा में असालतन या वकालतन हाजिर होकर अपनी स्थिति प्रस्तुत कर सकता है। निश्चित तिथि पर कोई आपत्ति प्राप्त न होने की दशा में प्रार्थना-पत्र श्रीमती नवावी पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 24-6-1996 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

बलबीर सिंह लगवाल,
कार्यकारी दण्डाधिकारी इन्दौरा,
जिला कांगड़ा (हि०प्र०)।

ब अदालत श्री बलबीर सिंह लगवाल, कार्यकारी दण्डाधिकारी, इन्दौरा, जिला कांगड़ा, हिमाचल प्रदेश

श्रीमती नवावी विधवा मरादा, निवासी चनौर, तहसील इन्दौरा, जिला कांगड़ा, हिमाचल प्रदेश व ग्राम पंचायत चनौर, तहसील इन्दौरा के रिकार्ड में दर्ज नहीं है।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु रजिस्ट्रीकरण एकट, 1969.

श्रीमती नवावी विधवा मरादा, निवासी चनौर, तहसील इन्दौरा, जिला कांगड़ा ने इस कार्यालय में प्रार्थना-पत्र प्रस्तुत किया है कि उसकी लड़की जतून का जन्म दिनांक 5-2-1989 को हुआ था, लेकिन उसकी जन्म तिथि ग्राम पंचायत चनौर, तहसील इन्दौरा के रिकार्ड में दर्ज नहीं है।

अतः सर्वसाधारण को इस ईश्तहार द्वारा सूचित किया जाता है कि इस बारे यदि किसी व्यक्ति का कोई उजर या एतराज हो तो वह दिनांक 30-7-1996 को सुबह 10.00 बजे इस अदालत स्थित इन्दौरा में असालतन या वकालतन हाजिर होकर अपनी स्थिति प्रस्तुत कर सकता है। निश्चित तिथि पर कोई आपत्ति प्राप्त न होने की दशा में प्रार्थना-पत्र श्रीमती नवावी पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 24-6-1996 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

बलबीर सिंह लगवाल,
कार्यकारी दण्डाधिकारी इन्दौरा,
जिला कांगड़ा (हि०प्र०)।

ब अदालत श्री बलबीर सिंह लगवाल, कार्यकारी दण्डाधिकारी, इन्दौरा, जिला कांगड़ा, हिमाचल प्रदेश

श्रीमती नवावी विधवा मरादा, निवासी चनौर, तहसील इन्दौरा, जिला कांगड़ा, हिमाचल प्रदेश व ग्राम पंचायत चनौर, तहसील इन्दौरा के रिकार्ड में दर्ज नहीं है।

बनाम

ग्राम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु रजिस्ट्रीकरण एकट, 1969.

श्रीमती नवावी विधवा मरादा, निवासी चनौर, तहसील इन्दौरा, जिला कांगड़ा ने इस कार्यालय में प्रार्थना-पत्र प्रस्तुत किया है कि उसके लड़के याकूब का जन्म दिनांक 20-3-1994 को हुआ था, लेकिन उसका नाम ग्राम पंचायत चनौर, तहसील इन्दौरा के रिकार्ड में दर्ज नहीं है।

अतः सर्वसाधारण को इस ईश्तहार द्वारा सूचित किया जाता है कि इस बारे यदि किसी व्यक्ति का कोई उजर या एतराज हो तो वह दिनांक 30-7-1996 को सुबह 10.00 बजे इस अदालत स्थित इन्दौरा में असालतन या वकालतन हाजिर होकर अपनी स्थित प्रस्तुत कर सकता है। निश्चित तिथि पर कोई आपत्ति प्राप्त न होने की दशा में प्रार्थना-पत्र श्रीमती नवाबी पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 24-6-1996 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

बलदीर सिंह नगवाल,
कार्यकारी दण्डाधिकारी, इन्दौरा,
जिला कांगड़ा (हि० प्र०)।

ब अदालत श्री सुशील शर्मा, उप-पंजीकार्यक्ष, देहरा, तहसील देहरा,
जिला कांगड़ा, हिमाचल प्रदेश

उनवान मुकदमा :

श्रीमती विद्या देवी विध्वा रफलू राम, गांव घटोली फकोरियां, तहसील देहरा, जिला कांगड़ा, हिमाचल प्रदेश फरीक अब्बल।

वनाम

आम जनता

प्रार्थना पत्र जेर धारा 40/41 भारतीय पंजीकरण अधिनियम, 1908 बराए पंजीकृत किए जाने वसीयतनामा।

नोटिस आम जनता

उपरोक्त विषय में आम जनता को बजरिया ईश्तहार हजा आगाह किया जाता है कि श्री रफलू राम पुत्र गंगा सिंह, वासी भटौली फकोरियां, तहसील देहरा, जिला कांगड़ा ने अपने जीते जी पूर्ण होश हवाश रुबरु गवाहान एक वसीयत नामा अपनी पत्नी श्रीमती विद्या देवी वा अपने भनीजे सतीश कुमार पुत्र साधु राम, वासी भटौली फकोरियां, तहसील देहरा, जिला कांगड़ा, हिमाचल प्रदेश के नाम तहरीर करवाई है। श्रीमती विद्या देवी ने स्वयं हाजिर होकर कहा कि श्री रफलू राम अब बफात पा चुका है तथा वसीयतनामा जेर धारा 40/41 भारतीय पंजीकरण अधिनियम, 1908 के अन्तर्गत बराए पंजीकरण पेश किया।

अतः आम जनता को बजरिया ईश्तहार हजा सूचित किया जाता है कि इस वसीयतनामा पंजीकरण के बारे एतराज हो तो वह अपना उजर दिनांक 22-7-1996 को हमारी अदालत मुकाम देहरा में प्रातः 10-00 बजे उपस्थित आकर पेश करें। अन्यथा वसीयतनामा जेर धारा 40/41 भारतीय पंजीकरण अधिनियम, 1908 के अन्तर्गत पंजीकृत किया जाएगा।

आज दिनांक 7-6-1996 को मेरे हस्ताक्षर व मोहर कार्यालय से जारी हुआ।

मोहर।

सुशील शर्मा,
उप-पंजीकार्यक्ष, देहरा,
जिला कांगड़ा (हि० प्र०)।

ब अदालत श्री सुशील शर्मा, उप-पंजीकार्यक्ष, देहरा, जिला कांगड़ा
हिमाचल प्रदेश

उनवान मुकदमा :

श्री रोशन लाल व गुरवंश मिह पुत्रान गुलनु राम, वासी झकलेहड़, मौजा खैरियां, तहसील देहरा, जिला कांगड़ा, हिमाचल प्रदेश।

वनाम

आम जनता

प्रार्थना पत्र जेर धारा 40/41 भारतीय पंजीकरण अधिनियम, 1908 बराए पंजीकृत किए जाने वसीयतनामा।

नोटिस बनाम आम जनता।

उपरोक्त विषय में आम जनता को बजरिया ईश्तहार हजा आगाह किया जाता है कि श्री गुल्लू राम पुत्र नागरु, वासी झकलेहड़, मौजा खैरियां, तहसील देहरा, जिला कांगड़ा ने अपने जीते जी पूर्ण होश हवाश रुबरु गवाहान एक वसीयत नामा अपने दो पुत्रों रोशन व गुरवंश मिह पुत्रान गुलनु राम, वासी झकलेहड़, मौजा खैरियां, तहसील देहरा, जिला कांगड़ा, हिमाचल प्रदेश के नाम तहरीर करवाई है। श्री रोशन लाल व गुरवंश मिह ने स्वयं हाजिर होकर कहा कि श्री गुल्लू राम अब बफात पा चुका है तथा वसीयतनामा जेर धारा 40/41 भारतीय पंजीकरण अधिनियम, 1908 के अन्तर्गत पंजीकृत किया जाएगा।

अतः आम जनता को बजरिया ईश्तहार हजा आगाह किया जाता है कि इस वसीयत नामा पंजीकरण के बारे एतराज हो तो वह अपना उजर दिनांक 22-7-1996 को हमारी अदालत मुकाम देहरा में प्रातः द३ बजे उपस्थित आकर पेश करें। अन्यथा वसीयत नामा जेर धारा 40/41 भारतीय पंजीकरण अधिनियम, 1908 के अन्तर्गत पंजीकृत किया जाएगा।

आज दिनांक 7-6-1996 को मेरे हस्ताक्षर व मोहर कार्यालय से जारी हुआ।

मोहर।

सुशील शर्मा,
उप-पंजीकार्यक्ष, देहरा,
जिला कांगड़ा (हि० प्र०)।

ब अदालत श्री जगदीश राम, नायब तहसीलदार, एवं कार्यकारी दण्डाधिकारी, तहसील बडोह, जिला कांगड़ा, हिमाचल प्रदेश

श्री भीम सिंह पुत्र शेरु राम, वासी महाल पलाखरू, मौजा झिकली कोठी, तहसील बडोह।

वनाम

आम जनता

दरखास्त जेर धारा 13 (3) जन्म एवं मृत्यु रजिस्ट्रीकण अधिनियम, 1969.

श्री भीम सिंह प्रार्थी ने इस कार्यालय में निवेदन किया है कि उसकी पुत्री रंजनी देवी की जन्म तिथि 13-7-1990 है। परन्तु ग्राम पंचायत में उक्त तारीख पंजीकृत न हुई अतः इसे पंजीकृत किये जाने के आदेश दिए जाएं। इस नोटिस के द्वारा समस्त जनता को सूचित किया जाता है कि निसी को उपरोक्त वच्चे की जन्म तिथि पंजीकरण किए जाने वारे कोई एतराज हो तो वह हमारी अदालत में दिनांक 24-7-1996 को प्रसालतन या वकालतन हाजिर होकर उजर पेश कर सकता है अन्यथा जन्म तिथि पंजीकृत किए जाने वारे आदेश पारित किए जाएंगे।

आज दिनांक 14-6-1996 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

सुशील शर्मा,
नायब तहसीलदार एवं कार्यकारी दण्डाधिकारी,
तहसील बडोह, जिला कांगड़ा।

ब अदालत श्री एम० आर० गलेरिया, नायब-तहसीलदार एवं प्रशासनिक दण्डाधिकारी, जर्मिहपुर, जिला कांगड़ा (हि० प्र०)

मुकदमा नं० 86/एन/96

किस्म मुकदमा : मृत्यु तिथि

उनवान मुकदमा :

श्रीमती प्रेमी देवी विध्वा श्री छोटू राम, निवासी मुहाल कथौण,

डाकखाना अमू, तहसील जर्मिहपुर, जिला कांगड़ा हिमाचल प्रदेश ..प्रार्थी

बनाम

आम जनता ..प्रत्यार्थी ।
विषय :—प्रार्थना पत्र जेर धारा 13 (3) जन्म व मृत्यु पंजीकरण
अधिनियम, 1969.

नोटिस बनाम आम जनता

प्रार्थी श्रीमती प्रेमी देवी विवाह श्री छोट राम, निवासी कथीण
ने प्रार्थना पत्र पेश किया है कि उसके पति श्री छोट राम की मृत्यु दिनांक
27-5-90 को गांव कथीण में हुई है परन्तु गलती से पंचायत
रिकार्ड में दर्ज न करवाई गई है तथा अब दर्ज करने की प्रार्थना
की है ।

अतः इस ईश्तहार राजपत्र द्वारा समस्त जनता व सम्बन्धित
रिकार्डों को सूचित किया जाता है कि उक्त व्यक्ति की मृत्यु
तिथि को दर्ज करने में किसी को अपार्ट/एतराज हो तो वह दिनांक
25-7-96 को प्रातः 10 बजे हमारे समक्ष अदालत हजा में हाजिर
आ कर स्वयं या किसी वकील के माध्यम से वज्रिव्याप्त करे अन्यथा
एक तरफा कार्यवाही अमल में लाई जाएगी ।

आज दिनांक 12-6-96 को यह ईश्तहार मेरे हस्ताक्षर व
मोहर अदालत से जारी किया गया है ।

मोहर ।

एम० आर० गुलेरिया,
प्रशासनिक दण्डाधिकारी,
जर्मिहपुर, जिला कांगड़ा ।

— — —
व अदालत श्री बी० डी० प्राशर, नायब-तहसीलदार एवं कार्यकारी
दण्डाधिकारी, उप-तहसील धीरा, जिला कांगड़ा (हि० प्र०)

तारीख पेशी : 24-7-96

व मुकद्दमा :

जगरूप सिंह पुत्र रमीला राम, निवासी बच्छवाई, उप-तहसील
धीरा ..प्रार्थी ।

बनाम

आम जनता ..प्रतिवादी ।

प्रार्थना पत्र जेर धारा 13 (3) जन्म व मृत्यु पंजीकरण
अधिनियम, 1969.

नोटिस बनाम आम जनता

श्री जगरूप सिंहपुत्र श्री रमीला राम, निवासी गांव बच्छवाई, उप-
तहसील धीरा, जिला कांगड़ा ने इस अदालत में प्रार्थना पत्र दिया है कि
उसके लड़के जतीन्द्र कुमार का जन्म दिनांक पंचायत रजिस्टर में
गलती से दर्ज नहीं करवाया है, अब दर्ज किया जावे । इस संदर्भ
में श्री जगरूप सिंह ने शपथ पत्र भी दिया है कि उसके लड़के
जतीन्द्र कुमार का जन्म दिनांक 13-1-1991 को हुआ है ।

अतः इस नोटिस द्वारा आम जनता तथा सम्बन्धित रिकार्डों
को सूचित किया जाता है कि यदि किसी को श्री जगरूप सिंह के
लड़के जतीन्द्र कुमार की जन्म तिथि दर्ज करने वारे कोई एतराज
हो तो वह दिनांक 24-7-96 को प्रातः दस बजे असालतन या
वकालतन मेरे समक्ष अदालत में हाजिर आकर पेश करें अन्यथा ग्राम
पंचायत बच्छवाई को जन्म तिथि दर्ज करने का आदेश पारित कर
दिया जायेगा । सूचित रहे ।

आज दिनांक 14-6-1996 को मेरे हस्ताक्षर व मोहर सहित
अदालत से जारी हुआ ।

मोहर

बी० डी० प्राशर,
नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी,
उप-तहसील धीरा, जिला कांगड़ा ।

व अदालत श्री एम० एल० नेगी, सहायक समाहर्ता, प्रथम श्रेणी,
निरमण, जिला कुल्लू, हिमाचल प्रदेश

कि० मुकद्दमा : तहसील

श्री राम० पुत्र श्री जीरम० पुत्र श्री जहाला, निवासी बड़ीधार, फाटी
गोहन ढोल, तहसील निरमण, जिला कुल्लू, हिमाचल प्रदेश
...वादी ।

बनाम

मर्वशी 1. जोधी, 2. मिश्ह, 3. दोधी पुत्रगण श्री चन्दू व,
4. श्री मोनकी गाम पुत्र व, 5. श्रीमती छकमी व, 6. नूपू देवी विद्वा
श्री झेपा, निवासी बड़ीधार, फाटी गोहन व, 7. जिमी, 8. स्याम०,
9. मागरू पुत्रगण श्री जोरम०, निवासी बड़ीधार, फाटी गोहन व, 10. तागनी,
11. सोहन लाल पुत्रगण श्री डूली, निवासी डण्डीधार, फाटी गोहन व,
12. श्रीमती कमला देवी पुत्री श्री डूली, निवासी व फाटी नौर, कोठी
प्रामगढ़ व जोधी पुत्र चन्दू, साकन बड़ीधार ..प्रतिवादीगण ।

बंटवारा भूमि खेवट नं० 217, खत्तीनी नं० 250, ता० 253,
खसरा नं० 942, 941, 1006, 940, टुकड़े 4, क्षेत्र 13-17 बीघा,
स्थित फाटी शोहन ।

उपरोक्त विषय के प्रसंग में उपरोक्त प्रतिवादीगण को बार-बार
समन जारी करने के उपरान्त भी तामील नहीं हो रही है । अब इस
अदालत को पूर्ण विश्वास हो गया है कि उपरोक्त प्रतिवादीगण को
साधारण ढंग से इतलाह नहीं हो सकती है ।

अतः इस ईश्तहार/नोटिस द्वारा उपरोक्त प्रतिवादी को मूचित
किया जाता है कि वे दिनांक 20-7-1996 को प्रातः 10.00 बजे
असालतन/वकालतन इस अदालत में हाजिर आवें । गैरहाजरी की
सूरत में कार्यवाही एकतरफा अमल में लाई जावेगी ।

आज दिनांक 15-6-1996 को मेरे हस्ताक्षर व मोहर सहित जारी
हुआ ।

मोहर ।

एम० एल० नेगी,
सहायक समाहर्ता, प्रथम श्रेणी,
तहसील निरमण, जिला कुल्लू,
हिमाचल प्रदेश ।

व अदालत श्री एम० एल० नेगी, सहायक समाहर्ता, प्रथम श्रेणी,
निरमण, जिला कुल्लू, हिमाचल प्रदेश

कि० मुकद्दमा : तकमीम

श्री राम० पुत्र श्री जोरम०, निवासी बड़ीधार, फाटी शोहन, तहसील
निरमण, जिला कुल्लू, हिमाचल प्रदेश ..वादी ।

बनाम

1. भू-अर्जन प्रविशल सरकार व, 2. शिमी, 3. सागरू, 4. स्याम०
पुत्रगण जोरम०, निवासी बड़ीधार, फाटी शोहन व 5. सोहन लाल,
6. ताशनी पुत्रगण डूली, निवासी डण्डीधार, फाटी अरसू व 7. श्रीमती
कमला देवी पुत्री श्री डूली, निवासी व फाटी नौर व 8. जटु,
9. गिरजा राम, 10. लक्म राम पुत्रगण व, 11. श्रीमती भुगली,
12. विमला पुत्रियां सभी व, 13. रमी, 14. जीणू पुत्रगण धीर्यू, निवासी
बड़ीधार, फाटी शोहन व, 15. सोहनी, 16. प्रोतम सिंह पुत्रगण
श्रीमती नरेणदासी विद्वा श्री भगत राम, निवासी व फाटी नौर
..प्रतिवादीगण ।

बंटवारा भूमि खेवट नं० 233/269, खसरा नं० 998, 998/1,
क्षेत्र 6-5 बीघा, स्थित फाटी शोहन ।

उपरोक्त विषय के प्रसंग में उपरोक्त प्रतिवादीगण को बार-बार
समन जारी करने के उपरान्त भी तामील नहीं हो रही है । अब इस
अदालत को पूर्ण विश्वास हो गया है कि उपरोक्त प्रतिवादीगण को
साधारण ढंग से इतलाह नहीं हो सकती है ।

अतः इस ईश्तहार/नोटिस द्वारा उपरोक्त प्रतिवादीगण को सूचित किया

जाता है कि वे दिनांक 20-7-1996 को प्रातः 10.00 बजे असालतन/वकालतन इस अदालत में हाजिर नहीं होते। गैरहाजरी की सूरत में कार्यवाही एकतरफा अलम में लाई जायेगी।

आज दिनांक 15-6-1996 को मेरे हस्ताक्षर व मोहर सहित जारी हुआ।

मोहर।

एस० एल० नेगी,
सहायक समाहर्ता, प्रथम श्रेणी,
तहसील निरमण, जिला कुल्लू,
हिमाचल प्रदेश।

In the Court of Shri Rattan Singh Thakur, Sub-Judge 1st Class, Jogindernagar, District Mandi, Himachal Pradesh

In the matter of :—

State Bank of India through its Manager, Branch Gumma, Tehsil Jogindernagar, District Mandi, Himachal Pradesh .. Plaintiff.

Versus

Shri Pulku Ram s/o Shri Sukh Ram, r/o village Markhan, P. O. Jhatingri, Tehsil Jogindernagar, District Mandi, Himachal Pradesh .. Defendant.

Suit for Recovery of Rs. 5592/-

C. Suit No. 106/92

Fixed for 1-8-1996

To

Shri Pulku Ram s/o Sukh Ram, r/o village Markhan, P. O. Jhatingri, Tehsil Jogindernagar, District Mandi (H. P.).

Whereas in the above mentioned Civil Suit it has been proved to the satisfaction of this court that the service of the above named defendant can not be served in the normal course of service. Hence this proclamation is hereby issued against him to appear before this court on 1-8-1996 at 10.00 A. M. personally or through an authorised agent or pleader to defend the case, failing which an *ex parte* proceeding will be taken against him.

Given under my hand and seal of the court today the 17th day of June, 1996.

Seal.

RATTAN SINGH THAKUR,
Sub-Judge 1st Class,
Jogindernagar, District Mandi.

In the Court of Shri Rattan Singh Thakur, Sub-Judge 1st Class, Jogindernagar, District Mandi, Himachal Pradesh

In the matter of :—

Shri Lal Singh s/o Shri Debu, r/o Katwali Ill. Ner, Tehsil Jogindernagar, District Mandi, Himachal Pradesh. .. Plaintiff.

Versus

General public.

Suit for Declaration

C. Suit No. 93/96

Fixed for 3-8-96

To

The general public.

Whereas in the above mentioned Civil Suit it

has been proved to the satisfaction of this court that service of above named defendant can not be served in the normal course of service. Hence this proclamation is hereby issued against them to appear before this court on 3-8-1996 at 10.00 A. M. personally or through an authorised agent or pleader to defend the case, failing which an *ex parte* proceeding will be taken against them.

Given under my hand and seal of the court today the 17th day of June, 1996.

Seal.

RATTAN SINGH THAKUR,
Sub-Judge 1st Class,
Jogindernagar, District Mandi.

In the Court of Shri Rattan Singh Thakur, Sub-Judge 1st Class, Jogindernagar, District Mandi (H. P.)

In the matter of :—

Rajo Devi w/o Hari Ram r/o Sujja, Illaqua Bhangal, Tehsil Jogindernagar, District Mandi (H. P.) .. Plaintiff.

Versus

Hari Ram s/o Rati Ram, r/o village Sujja, Illaqua Bhangal at present Punjab Roadways Industrial Area, Chandigarh through Regional Manager, Punjab Roadways Workshop, Ind. Area, Chandigarh (U. T.) .. Defendant.

Suit for Maintenance

C. Suit No. 70/95

Fixed for 6-8-1996

To

Shri Hari Ram s/o Rati Ram, r/o village Sujja, Illaqua Bhangal at present Punjab Roadways Industrial Area, Chandigarh through Regional Manager, Punjab Roadways Workshop, Industrial Area, Chandigarh (U. T.).

Whereas in the above mentioned Civil Suit, it has been proved to the satisfaction of this Court that the service of the above named defendant cannot be effected in the normal course of service.

Hence this proclamation is hereby issued against him to appear before this court on 6-8-96 at 10.00 A. M. personally or through an authorised agent or pleader to defend the case, failing which an *ex parte* proceeding will be taken against him.

Given under my hand and seal of the court today the 18th day of June 1996.

Seal.

RATTAN SINGH THAKUR,
Sub-Judge, 1st Class,
Jogindernagar, Distt. Mandi (H. P.).

व अदालत श्री रतन गौतम, कायंकारी दण्डाधिकारी, सुन्दरनगर, जिला मण्डी हिमाचल प्रदेश

व मुकदमा:

श्री कृष्ण सिंह परमार पुत्र श्री धर्म सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश .. प्रार्थी।

बनाम

आम जनता

.. प्रत्यार्थी।

प्रार्थना-पत्र जन्म व मृत्यु रजिस्ट्रीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने वारे।

नोटिस बनाम आम जनता।

उपरोक्त मुकदमा में प्रार्थी कृष्ण ने इस अदालत को प्रार्थना-पत्र मय

व्याप्त हुल्फी पेश किया है कि उसको पुत्री जिसका नाम मुनैना देवी है की जन्म तिथि ग्राम पंचायत अभिलेख समीण में दर्ज नहीं है, जो अब दर्ज की जावे। प्रार्थी की पुत्री मुनैना देवी की जन्म तिथि 11-7-1990 है।

अतः सर्व साधारण जनता को इस नोटिस/इश्तहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस वारा कोई उजर व एतराज हो तो वह दिनांक 5-8-1996 को सुबह 10 बजे असालतन या बकालतन हाजिर अदालत आकर पेश कर सकते हैं, अन्यथा हाजिर न आने की सूरत में यकतरफा कार्यवाही अमल में लाई जायेगी।

आज दिनांक 18-6-96 को मेरे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

रतन गौतम,
कार्यकारी दण्डाधिकारी,
सुन्दरनगर, जिला मण्डी।

व अदालत श्री रतन गौतम, कार्यकारी दण्डाधिकारी/नहसीलदार,
सुन्दरनगर, जिला मण्डी (हि० प्र०)

मुकद्दमा नम्बर 24/96

व मुकद्दमा श्री नन्द लाल पुत्र श्री गंगू राम, जाति हरिजन, निवासी गांव नगारडा, डाकखाना बीणा, तहसील सुन्दरनगर, जिला मण्डी (हि० प्र०)

वनाम

आम जनता

प्रार्थना-पत्र जन्म व मत्यु रजिस्ट्रीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने वारे।

नोटिस वनाम आम जनता।

उपरोक्त मुकद्दमा में प्रार्थी श्री नन्द लाल ने इस अदालत को अपने तीन पुत्रों की जन्म तिथि दर्ज करवाने वारे प्रार्थना-पत्र में व्याप्त हुल्फी पेश किया है कि उसके पुत्रों सुनील कुमार, जन्म तिथि 28-10-1991, अनिल कुमार जन्म तिथि 30-1-1994 व रवि कुमार की जन्म तिथि 27-6-1995 है जो पंचायत रिकार्ड में दर्ज नहीं हैं।

अतः सर्वसाधारण जनता को इस नोटिस द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को उपरोक्त जन्म तिथियों को पंचायत रिकार्ड में दर्ज करवाने वारा कोई उजर व एतराज हो तो वह दिनांक 22-7-1996 को सुबह 10.00 बजे असालतन या बकालतन हाजिर अदालत आ कर उजर/एतराज पेश कर सकते हैं अन्यथा हाजिर न आने की सूरत में यकतरफा कार्यवाही अमल में लाई जाएगी।

आज दिनांक 12-6-1996 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

रतन गौतम,
कार्यकारी दण्डाधिकारी/नहसीलदार,
सुन्दरनगर, जिला मण्डी (हि० प्र०)

व अदालत श्री रतन गौतम, तहसीलदार/कार्यकारी दण्डाधिकारी सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश

व मुकद्दमा :

श्री राजीत सिंह पुत्र राम सिंह, निवासी गांव भन्तरेहड़, तहसील

सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश

वनाम

आम जनता

प्रार्थी।

प्रार्थना पत्र जन्म व मत्यु रजिस्ट्रीकरण अधिनियम 1969 के अन्तर्गत जन्म तिथि दर्ज करने वारे।

नोटिस वनाम आम जनता।

उपरोक्त मुकद्दमा में प्रार्थी रणजीत ने इस अदालत को प्रार्थना पत्र में व्याप्त हुल्फी पेश किया है कि उसके पुत्र विनोद कुमार की जन्म तिथि 4-9-1991 है जो पंचायत अभिलेख में दर्ज नहीं है जिसे दर्ज किया जावे।

अतः सर्व साधारण जनता को इस नोटिस/इश्तहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस वारा कोई उजर व एतराज हो तो वह दिनांक 5-8-1996 को सुबह 10 बजे असालतन या बकालतन हाजिर अदालत आकर अपना एतराज पेश कर सकते हैं, अन्यथा हाजिर न आने की सूरत में यकतरफा कार्यवाही अमल में लाई जायेगी।

आज दिनांक 18-6-96 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

रतन गौतम,
कार्यकारी दण्डाधिकारी
सुन्दरनगर, जिला मण्डी (हि० प्र०)

व अदालत श्री आर० एन० करोल, उप-मण्डल दण्डाधिकारी, सुन्दरनगर, जिला मण्डी (हि० प्र०)

व मुकद्दमा :

श्री थेवड़ पुत्र घुंघर, निवासी ग्रामसू, डा० डैहर, तहसील सुन्दरनगर, जिला मण्डी (हि० प्र०) प्रार्थी।

वनाम

आम जनता

प्रत्यार्थी।

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने वारे।

उपरोक्त मुकद्दमा में श्री थेवड़ प्रार्थी उपरोक्त ने दिनांक 2-5-1996 को इस अदालत में प्रार्थना-पत्र पेश किया है कि उनका जन्म दिनांक 1-3-1926 को हुआ है, लेकिन उनकी जन्म तिथि समय पर आम पंचायत डैहर के अभिलेख में दर्ज नहीं करवाई है अब दर्ज करने के आदेश जारी किए जावे।

अतः आम जनता को इस इश्तहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस वारा कोई उजर व एतराज हो तो वह दिनांक 22-7-1996 समय 10 बजे सुबह या इससे पूर्व असालतन या बकालतन हाजिर अदालत होकर पेश करें। अन्यथा दीगर कार्यवाही एकतरफा अमल में लाई जावेगी।

आज दिनांक 6-6-1996 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

आर० एन० करोल,
उप-मण्डल दण्डाधिकारी,
सुन्दरनगर, जिला मण्डी।

व मुकद्दमा :

ब अदालत श्री आर० एन० करोल, उप-मण्डल दण्डाधिकारी, सुन्दरनगर, जिला मण्डी (हि० प्र०)

1. जगदीश कुमार पुत्र प्रेम लाल, निवासी खत्तरबाड़ी, डाकखाना।

अपर बहनी, तहसील सुन्दरनगर, जिला मण्डी (हि० प्र०)।

2. सनेह लता पुत्री राम किशन कालीया, निवासी जखेड़ा, डाकघाना जखेड़ा, तहसील व जिला ऊना, हिमाचल प्रदेश हाल पत्नी जगदीश कुमार, निवासी खतरबाड़ी, डाकघाना अपर बैहली, तहसील सुन्दरनगर, जिला मण्डी (हि० प्र०) ..प्रार्थीगण।

बनाम

..प्रत्यार्थी।

ग्राम जनता।

प्रार्थना-पत्र जेर धारा 15 स्पैशल मैरीज अधिनियम, 1954 के अन्तर्गत विवाह पंजीकरण करने वारे।

उपरोक्त मुकदमा में जगदीश कुमार व सनेह लता प्रार्थीगण उपरोक्त ने जेर धारा 15 स्पैशल मैरीज अधिनियम, 1954 के अन्तर्गत अपना विवाह पंजीकरण करने वारा दिनांक 13-12-1995 को इस अदालत में प्रार्थना-पत्र पेश किया है।

अतः ग्राम जनता को इस इश्तहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस बारा कोई उजर व एतराज हो तो वह दिनांक 22-7-1996 समय 10 बजे सुबह या इससे पूर्व असालतन या वकालतन हाजर अदालत होकर पेश करें। अन्यथा दीगर कार्यवाही एकतरफा अनन्त में लाई जावेगी।

आज दिनांक 12-6-1996 को हमारे हस्ताक्षर व माहूर अदालत से जारी हुआ।

मोहर।

आर० एन० करोल,
उप-मण्डल दण्डाधिकारी,
सुन्दरनगर, जिला मण्डी।

ब अदालत श्री आर० एन० करोल, उप-मण्डल दण्डाधिकारी, सुन्दरनगर, जिला मण्डी (हि० प्र०)

व मुकदमा:

श्री ठाकर दास सुपुत्र तुलसी राम, निवासी चमुबा, डाकघाना हरावाग, तहसील सुन्दरनगर, जिला मण्डी (हि० प्र०) ..प्रार्थी।

बनाम

ग्राम जनता

..प्रत्यार्थी।

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने वारे।

उपरोक्त मुकदमा में श्री ठाकर दास प्रार्थी उपरोक्त ने दिनांक 30-4-1996 को इस अदालत में प्रार्थना-पत्र पेश किया है कि उनका जन्म दिनांक 7-7-1949 को हुआ है लेकिन उसकी जन्म तिथि समय पर ग्राम पंचायत के अभिलेख में दर्ज नहीं करवाई है अब दर्ज करने के आदेश जारी नहीं जावेगी।

अतः ग्राम जनता को इस इश्तहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस बारा कोई उजर व एतराज हो तो वह दिनांक 22-7-1996 समय 10 बजे सुबह या इससे पूर्व असालतन या वकालतन हाजर अदालत होकर पेश करें। अन्यथा दीगर कार्यवाही एकतरफा अनन्त में लाई जावेगी।

आज दिनांक 12-6-96 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

आर० एन० करोल,
उप-मण्डल दण्डाधिकारी,
सुन्दरनगर, जिला मण्डी।

ब अदालत श्री आर० एन० करोल, उप-मण्डल दण्डाधिकारी, सुन्दरनगर जिला मण्डी, हिमाचल प्रदेश

ब मुकदमा:

श्री देवी चरण सुपुत्र बृज किशोर, हाल निवासी धनेश्वरी, डा० कलौहड़, तहसील सुन्दरनगर, जिला मण्डी (हि० प्र०) ..प्रार्थी।

बनाम

..प्रत्यार्थी।

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने वारे।

उपरोक्त मुकदमा में श्री देवी चरण प्रार्थी उपरोक्त ने दिनांक 14-5-1996 को इस अदालत में प्रार्थना पत्र पेश किया है कि उसके पुत्र औटंस कुमार का जन्म दिनांक 24-4-1990 को हुआ है, लेकिन उसकी जन्म तिथि समय पर ग्राम पंचायत कलौहड़ के अभिलेख में दर्ज नहीं करवाई है। अब दर्ज करने के आदेश जारी किये जावें।

अतः ग्राम जनता को इस इश्तहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस बारा कोई उजर व एतराज हो तो वह दिनांक 17-7-1996 समय 10 बजे प्रातः या इससे पूर्व असालतन या वकालतन हाजर अदालत होकर पेश करें। अन्यथा दीगर कार्यवाही एकतरफा अनन्त में लाई जावेगी।

आज दिनांक 6-6-1996 को हमारे हस्ताक्षर व माहूर अदालत से जारी हुआ।

मोहर।

आर० एन० करोल,
उप-मण्डल दण्डाधिकारी, सुन्दरनगर,
जिला मण्डी, हिमाचल प्रदेश।

ब अदालत श्री आर० एन० करोल, उप-मण्डल दण्डाधिकारी, सुन्दरनगर जिला मण्डी, हिमाचल प्रदेश

ब मुकदमा:

श्री देवी चरण सुपुत्र बृज किशोर, हाल निवासी धनेश्वरी, डा० कलौहड़, तहसील सुन्दरनगर, जिला मण्डी (हि० प्र०) ..प्रार्थी।

बनाम

..प्रत्यार्थी।

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने वारे।

उपरोक्त मुकदमा में श्री देवी चरण प्रार्थी उपरोक्त ने दिनांक 14-5-1996 को इस अदालत में प्रार्थना-पत्र पेश किया है कि उसके पुत्र ईश्वर कुमार का जन्म दिनांक 5-5-1992 को हुआ है, लेकिन उसका जन्म तिथि समय पर ग्राम पंचायत के अभिलेख में दर्ज नहीं करवाई है अब दर्ज करने के आदेश जारी नहीं जावें।

अतः ग्राम जनता को इस इश्तहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस बारा कोई उजर व एतराज हो तो वह दिनांक 17-7-1996 समय 10 बजे मुबह या इससे पूर्व असालतन या वकालतन हाजर अदालत होकर पेश करें। अन्यथा दीगर कार्यवाही एकतरफा अनन्त में लाई जावेगी।

आज दिनांक 6-6-1996 को हमारे हस्ताक्षर व माहूर अदालत से जारी हुआ।

मोहर।

आर० एन० करोल,
उप-मण्डल दण्डाधिकारी, सुन्दरनगर,
जिला मण्डी, हिमाचल प्रदेश।

ब प्रदालत श्री आर० एन० करोल, उप-मण्डल दण्डाधिकारी, सुन्दरनगर जिला मण्डी, हिमाचल प्रदेश

ब मुकदमा :

श्री करम चन्द सुपुत्र विशेशर राम, निवासी चतरोखडी, डाकघाना सुन्दरनगर, तहसील मुन्दरनगर, जिला मण्डी, (हि० प्र०) ... प्रार्थी ।

ब अदालत श्री आर० एन० करोल, उप-मण्डल दण्डाधिकारी सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश

ब मुकदमा :

श्री सन्ता सुपुत्र श्री वानू राम, निवासी दरोल, डाकघाना निहरी, उप-तहसील निहरी, तहसील मुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश ... प्रार्थी ।

वनाम
आम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत मृत्यु तिथि दर्ज करने वारे ।

उपरोक्त मुकदमा में श्री करम चन्द प्रार्थी उपरोक्त ने दिनांक 3-4-1996 को इस अदालत में प्रार्थना-पत्र पेश किया है कि उसके पिता विशेशर राम की मृत्यु दिनांक 19-11-1994 को हुई है, लेकिन मृत्यु तिथि समय पर नगर परिषद मुन्दरनगर में दर्ज नहीं करवाई है। अब दर्ज करने के आदेश जारी किये जावें।

अतः आम जनता को इस इश्तहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस बारा कोई उजर व एतराज हो तो वह दिनांक 17-7-1996 समय 10 बजे सुबह या इससे पूर्व असालतन या वकालतन हाजिर अदालत होकर पेश करें। अन्यथा दीगर कार्यवाही एकतरफा अमल में लाई जावेगी।

आज दिनांक 6-6-1996 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

आर० एन० करोल,
उप-मण्डल दण्डाधिकारी, सुन्दरनगर,
जिला मण्डी, हिमाचल प्रदेश ।

ब अदालत श्री आर० एन० करोल, स्पैशल मैरीज अधिकारी (एस० डी० एम०), सुन्दरनगर, जिला मण्डी (हि० प्र०)

ब मुकदमा :

- कृष्ण चन्द पुत्र सौल सिंह, निवासी करोट, तहसील घुमाखी, जिला विलासपुर, हिमाचल प्रदेश ।
- विन्द्रा देवी नुवी गोराल, निवासी खुराहल (सिंहुण), तहसील सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश ... प्रार्थीगण ।

वनाम
आम जनता

प्रार्थना-पत्र जेर धारा 15 स्पैशल मैरीज अधिनियम, 1954 के अन्तर्गत विवाह पंजीकरण करने वारे ।

उपरोक्त मुकदमा में कृष्ण चन्द व विन्द्रा देवी प्रार्थीगण उपरोक्त ने दिनांक 7-6-1996 को जेर धारा 15 स्पैशल मैरीज एक्ट, 1954 के अन्तर्गत अपना विवाह पंजीकरण करने वारा इस अदालत में प्रार्थना-पत्र पेश किया है।

अतः आम जनता को इस इश्तहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस बारा कोई उजर व एतराज हो तो वह दिनांक 31-7-96 समय 10.00 बजे सुबह या इससे पूर्व असालतन या वकालतन हाजिर अदालत होकर पेश करें। अन्यथा दीगर कार्यवाही एक तरफा अमल में लाई जावेगी।

आज दिनांक 18-6-1996 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

आर० एन० करोल,
स्पैशल मैरीज अधिकारी,
(एस० डी० एम०), सुन्दरनगर,
जिला मण्डी, हिमाचल प्रदेश ।

वनाम
आम जनता

वनाम
आम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने वारे ।

उपरोक्त मुकदमा में श्री सन्ता प्रार्थी उपरोक्त ने दिनांक 13-5-1996 को इस अदालत में प्रार्थना-पत्र पेश किया है कि उसकी पुत्री तवारसी देवी का जन्म दिनांक 10-3-1957 को हुआ है लेकिन उसकी जन्म तिथि समय पर ग्राम पंचायत के रिकार्ड में दर्ज नहीं करवाई है। अब दर्ज करने के आदेश जारी किये जावें।

अतः आम जनता को इस इश्तहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस बारा कोई उजर व एतराज हो तो वह दिनांक 31-7-96 समय 10.00 बजे सुबह या इससे पूर्व असालतन या वकालतन हाजिर अदालत होकर पेश करें। अन्यथा दीगर कार्यवाही एकतरफा अमल में लाई जावेगी।

आज दिनांक 20-6-96 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

आर० एन० करोल,
उप-मण्डल दण्डाधिकारी,
सुन्दरनगर, जिला मण्डी,
हिमाचल प्रदेश ।

ब अदालत श्री आर० एन० करोल, उप-मण्डल दण्डाधिकारी, सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश

बमुकदमा :

श्री कृष्ण सुपुत्र श्री झांऊ, निवासी कुनैला, डाकघाना नालग, तहसील सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश ... प्रार्थी ।

वनाम
आम जनता

... प्रतिवादी ।

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने वारे ।

उपरोक्त मुकदमा में श्री कृष्ण प्रार्थी उपरोक्त ने दिनांक 23-5-96 को इस अदालत में प्रार्थना-पत्र पेश किया है कि उसकी लड़कियां सरस्वती देवी व मंजू देवी का जन्म क्रमशः दिनांक 23-7-1990 व 3-4-1994 को हुआ है लेकिन समय पर उनकी जन्म तिथियां सम्बन्धित ग्राम पंचायत में दर्ज नहीं करवाई हैं। अब दर्ज करने के आदेश जारी किए जावें।

अतः आम जनता को इस इश्तहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इन बारा कोई उजर व एतराज हो तो वह दिनांक 31-7-96 समय 10.00 बजे सुबह या इससे पूर्व असालतन या वकालतन हाजिर अदालत होकर पेश करें। अन्यथा दीगर कार्यवाही एकतरफा अमल में लाई जावेगी।

आज दिनांक 19-6-1996 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

आर० एन० करोल,
उप-मण्डल दण्डाधिकारी, सुन्दरनगर,
जिला मण्डी, हिमाचल प्रदेश ।

व अदालत श्री रामेश्वर शर्मा, सहायक भू-व्यवस्था अधिकारी-III,
समाहर्ता भू-व्यवस्था, शिमला मण्डल, जिला शिमला

मिसल नम्बर किस्म मुकदमा तारीख मरजूआ
4/95 अपील विरुद्ध इन्टकाल 25-8-95

श्री जसवन्त सिंह पुत्र श्री दिना नाथ, गांव रोहिल, डाकघर नन्दपुर,
तहसील जुब्बल, जिला शिमला ।

बनाम

1. श्रीमती कमला देवी पत्नी श्री चेत राम, गांव शहलार, तहसील
जुब्बल, जिला शिमला, 2. श्री टी० एस० डोड, 3. श्री बी० एन०
डोड, 4. श्री मोती सिंह डोड सुपुत्रान श्री दीना नाथ, निवासी रोहिल,
डाकघर नन्दपुर, तहसील जुब्बल, जिला शिमला ।

उपरोक्त अपील मुकदमा में उक्त फरीकदोयम को इस न्यायालय
से कई बार समन जारी किए गए, लेकिन उन पर तामील साधारण रूप
से नहीं हो पा रही है। अदालत को यह निश्चय हो चुका है कि उक्त
फरीकदोयम को साधारण रूप से समन को तामील नहीं हो सकती
है। अतः इस नोटिस द्वारा उक्त फरीकदोयम को आर्डर 5, नियम
20, सी० पी० सी० के अन्तर्गत सूचित किया जाता है कि वह दिनांक
31-7-96 को सुवह 10 बजे असालतन व वकालतन हाजर अदालत में
बराये पैरवी मुकदमा उपस्थित आएं गैर हाजरी की सूरत में एकतरफा
कार्यवाही अमल में लाई जाएगी ।

आज दिनांक 11 जून, 1996 को हमारे हस्ताक्षर व मोहर अदालत
से जारी हुआ ।

मोहर ।

रामेश्वर शर्मा,
सहायक भू-व्यवस्था अधिकारी,
शिमला, जिला शिमला ।

व अदालत श्री बी० एस० नेगी, सहायक समाहर्ता, द्वितीय श्रेणी,
जुब्बल, जिला शिमला, हिमाचल प्रदेश

तारीख पेशी
31-7-96

उनवान मुकदमा : दरस्ती इन्द्राज कब्जा व काश्त ।

दीवान सिंह राणा पुत्र गंगा रास, निवासी पन्द्राणू (दड़माणा),
तहसील जुब्बल

बनाम

1. हर पुत्र गोलू, 2. सुरीन्द्र पुत्र मांटा, 3. चत्तर सिंह पुत्र
मांटा, 4. शामा नन्द पुत्र मांटा, 5. गोड़ पुत्र मांटा, 6. श्रीमती
चुन्नी विघ्ना मांटा, निवासी पन्द्राणू (दड़माणा), तहसील जुब्बल,
जिला शिमला, हिमाचल प्रदेश । प्रतिवादीगण ।

विषय :—दरस्ती इन्द्राज कब्जा व काश्त किये जाने दर्ज
बनाम प्रार्थी कागजात माल द्वावत भूमि खाता खतौनी
नं० ५१ मिन/१३८ मिन व १४०, किंतु ४, रकवा तादादी
०-३४-६८ है०, खसरा नं० ४८५/१, ५६३, ५६५ व ५६६
वाका महाल पन्द्राणू तहसील जुब्बल ।

मुद्रामा उनवान वाला में प्रतिवादीगण नम्बर ३, ४ व ६ को
इस अदालत द्वारा समन जारी किए गए, परन्तु तामील न हो सकी ।
अदालत को पूर्ण विश्वास हो चुका है कि प्रतिवादीगण की तामील
साधारण दंग में नहीं हो सकती ।

अतः इस इश्तहार द्वारा प्रतिवादीगण नम्बर ३, ४, ६ को सूचित
किया जाता है कि वह मिति 31-7-96 को प्रातः 10 बजे असालतन
या वकालतन अदालत में हाजिर होकर मुकदमा की पैरवी करें अन्यथा
हस्त जाब्ता कायदा कार्यवाही यक्तरपा अमल में लाई जावेगी ।

आज दिनांक 25-6-96 को हमारे हस्ताक्षर व मोहर अदालत से
जारी हुआ ।

मोहर ।

बी० एस० नेगी,
सहायक समाहर्ता, द्वितीय श्रेणी,
जुब्बल, जिला शिमला ।

व अदालत श्री अजय शर्मा, उप-मण्डल दण्डाधिकारी, शिमला (शहरी)
शिमला, जिला शिमला, हिमाचल प्रदेश

श्री जोध सिंह सुपुत्र श्री राम चन्द्र सिंह, निवासी एम० सी०
क्वाटर नं० १२, सांकली, तहसील व जिला शिमला ।

बनाम

आम जनता

दरखास्त जेर धारा 13 (3) जन्म व मृत्यु रजिस्ट्रीकरण एकट,
1969.

श्री जोध सिंह सुपुत्र श्री राम चन्द्र सिंह, निवासी म० न० १२,
सांकली, शिमला, तहसील व जिला शिमला ने इस कार्यालय में गुजारिश
को है कि मेरी पुत्री मन्जु राणा का जन्म 24-11-75 को हुआ
है, लेकिन जन्म तिथि नगर निगम में दर्ज नहीं है ।

अतः सर्वसाधारण जनता को इस इश्तहार द्वारा सूचित किया जाता
है कि यदि किसी भी व्यक्ति को इस बारा कोई उजर व एतराज हो
तो वह दिनांक 27-7-96 तक या उससे पहले इस कार्यालय में
हाजिर हो कर पेश कर सकता है । वरना उपरोक्त प्रार्थी की जन्म
तिथि दर्ज करने वारे आदेश रजिस्ट्रार जन्म एवं मृत्यु नगर निगम
को दे दिये जायेंगे ।

आज दिनांक 27-6-1996 को मेरे हस्ताक्षर व मोहर अदालत
से जारी हुआ ।

मोहर ।

अजय शर्मा,
उप-मण्डल दण्डाधिकारी,
जिला शिमला (हि० प्र०) ।

इश्तहार

व अदालत श्री राजीव शर्मा, उप-मण्डल दण्डाधिकारी, ठियोग, जिला
शिमला

विजिया राम पुत्र मनी राम, निवासी गांव मान्दल, डा० कुठार, तहसील
ठियोग ।

बनाम

आम जनता

जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री विजिया राम पुत्र श्री मनी राम, गांव मान्दल, डा० कुठार, तहसील
ठियोग ने दरखास्त गुजार रखी है कि उसके पुत्र प्रदीप जिसकी
जन्म तिथि 14-9-93 है का नाम पंचायत रिकार्ड में दर्ज नहीं है, अब
करवाना चाहता है ।

अतः सर्वसाधारण को इस इश्तहार के माध्यम से सूचित किया
जाता है कि यदि किसी व्यक्ति व रिश्तेदार को कोई एतराज हो तो
वह मिति 30-7-96 को समय सुवह 10 बजे हाजिर अदालत आकर
अपना एतराज पेश करें वरना एकतरफा कार्यवाही अमल में लाई
जाकर उपरोक्त प्रदीप का नाम पंचायत रिकार्ड में दर्ज करने वारे
आदेश जारी किये जायेंगे ।

आज मिति 21-6-96 को मेरे हस्ताक्षर व मोहर अदालत से
जारी हुआ ।

मोहर ।

राजीव शर्मा,
उप-मण्डल दण्डाधिकारी,
ठियोग, जिला शिमला ।

इश्तहार

इश्तहार

व अदालत श्री राजीव शर्मा, उप-मण्डल दण्डाधिकारी, ठियोग, जिला शिमला

श्री बंसी लाल पुत्र श्री रामू राम, गांव चान्दनी, प० शिला बलसन, तहसील ठियोग।

वनाम

आम जनता

जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री बंसी लाल पुत्र श्री रामू राम, गांव चान्दनी, प० शिला बलसन, तहसील ठियोग ने दरखास्त गुजारी है कि उसके पुत्र सन्दीप जिसकी जन्म तिथि 20-3-91 है का नाम पंचायत रिकार्ड में दर्ज नहीं है, जिसे अब दर्ज किया जावे।

अतः इस इश्तहार के माध्यम से सर्व साधारण को सूचित किया जाता है कि यदि किसी व्यक्ति व रिश्तेदार को कोई ऐतराज हो तो वह मिति 30-7-96 को समय सुबह 10 बजे हाजिर अदालत आकर अपना ऐतराज पेश करें, वरना एकतरफा कार्यवाही अमल में लाई जाकर उपरोक्त सन्दीप का नाम पंचायत रिकार्ड में दर्ज करने के आदेश जारी किये जाएंगे।

आज दिनांक 22-6-96 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

राजीव शर्मा,
उप-मण्डल दण्डाधिकारी,
ठियोग, जिला शिमला।

इश्तहार

व अदालत श्री राजीव शर्मा, उप-मण्डल दण्डाधिकारी ठियोग, जिला शिमला, हिमाचल प्रदेश

श्री धर्मवीर पुत्र राम नाथ, निवासी गांव दरभोग, परगना रतेश, तहसील ठियोग, जिला शिमला, हिमाचल प्रदेश।

वनाम

आम जनता

जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री धर्मवीर पुत्र राम नाथ, निवासी गांव दरभोग, परगना रतेश, तहसील ठियोग ने दरखास्त गुजार रखी है कि उसके पुत्र श्री शिवम, जिसकी जन्म तिथि 1-4-1990 है तथा पुत्री कु० शिवाली जिसकी जन्म तिथि 17-5-1991 है के नाम पंचायत रिकार्ड में दर्ज नहीं है, अब दर्ज किय जाएं।

अतः इस इश्तहार के माध्यम से सर्व साधारण को सूचित किया जाता है कि यदि किसी व्यक्ति व रिश्तेदार को कोई ऐतराज हो तो वह मिति 18-7-1996 को समय 10 बजे सुबह हाजिर अदालत आकर अपना ऐतराज पेश करे अन्यथा एकतरफा कार्यवाही अमल में लाई जाकर उपरोक्त श्री शिवम व कु० शिवाली के नाम पंचायत रिकार्ड बलग में दर्ज करने वारे आदेश जारी किये जायेंगे।

आज मिति 20-6-1996 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

राजीव शर्मा,
उप-मण्डल दण्डाधिकारी,
ठियोग, जिला शिमला,
हिमाचल प्रदेश।

व अदालत श्री राजीव शर्मा, उप-मण्डल दण्डाधिकारी, ठियोग, जिला शिमला, हिमाचल प्रदेश

रती राम पुत्र खन्ती राम, गांव मैन्ज, तहसील ठियोग, जिला शिमला, हिमाचल प्रदेश।

वनाम

आम जनता

जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम 1969.

श्री रती राम पुत्र खन्ती राम, गांव मैन्ज, तहसील ठियोग ने दरखास्त गुजार रखी है कि उसके पत्नी श्रीमती निशा देवी व उसके पुत्र अरुण कुमार, जिसकी जन्म तिथि 31-3-1994 है के नाम पंचायत रिकार्ड में दर्ज नहीं है अब दर्ज किये जावे।

अतः इस इश्तहार के माध्यम से सर्व साधारण को सूचित किया जाता है कि यदि किसी व्यक्ति व रिश्तेदार को कोई ऐतराज हो तो वह मिति 18-7-1996 को समय सुबह 10 बजे हाजिर अदालत आकर अपना ऐतराज पेश करे वरना एकतरफा कार्यवाही अमल में लाई जाकर उपरोक्त श्रीमती निशा देवी व अरुण कुमार के नाम पंचायत रिकार्ड में दर्ज करने के आदेश जारी किये जायेंगे।

आज दिनांक 20-6-1996 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

राजीव शर्मा,
उप-मण्डल दण्डाधिकारी,
ठियोग, जिला शिमला,
हिमाचल प्रदेश।

न्यायालय श्री राम लाल ठाकुर, सहायक समाहर्ता प्रथम श्रेणी, (तहसीलदार) ठियोग, जिला शिमला, हिमाचल प्रदेश

मुकदमा नं 0 2/94

तारीख पेशी 18-7-96

श्री केदार सिंह पुत्र श्री हरी राम, निवासी घोड़ना, परगना कट्टैवड़ बलसन, तहसील ठियोग

प्रार्थी।

वनाम

श्री गुरचरण सिंह पुत्र मोहन सिंह, निवासी घोड़ना, परगना कट्टैवड़ बलसन, तहसील ठियोग, हिमाचल प्रदेश प्रतिवादी।

प्रार्थना-पत्र दस्ती इन्द्राज कागजात माल, खेवट खतौनी नं 0 46/49, खसरा नम्बरान 248, 271, 272, 273, 437, 438, 434, 577, 578, 582, 583 वी, कित्ता 11 रक्का 9-1 विधा स्थित चक दरवार बलसन, तहसील ठियोग, जिला शिमला, निम्न धारा 37 भू राजस्व अधिनियम हिमाचल प्रदेश।

उपरोक्त विवरणित मुकदमा में प्रतिवादी श्री गुर चरण सिंह पुत्र मोहन सिंह, निवासी घोड़ना, तहसील ठियोग, जिला शिमला, हिमाचल प्रदेश को इस न्यायालय द्वारा समन भेजा गया था। लेकिन तामील कुनिन्दा की रिपोर्ट से पाया गया कि प्रतिवादी श्री गुरचरण सिंह मजकूर कभी-कभी गांव घोड़ना आता है व भौंके पर नहीं रहते हैं। इस कारण प्रतिवादी उपरोक्त श्री गुरचरण सिंह पुत्र मोहन सिंह को बजरिया इश्तहार हजा सूचित किया जाता है कि वह मुकदमा उनवान वाला की पैरवी के लिए इस न्यायालय में दिनांक 18-7-1996 को असालतन या वकालतन उपस्थित होवें अन्यथा अदम पैरवी मुकदमा एक तरफा अमल में लाई जावेगी।

आज दिनांक 6-6-1996 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

राम लाल शर्मा,
सहायक समाहर्ता प्रथम श्रेणी,
(तहसीलदार) ठियोग, जिला शिमला,
हिमाचल प्रदेश।

ब अदालत श्री देविन्द्र सिंह कंवर उप-पंजीयाल, पांवटा साहिव,
जिला सिरमौर, हिमाचल प्रदेश

मुकद्दमा नं 0 3/96

जाती राम, चेतगम पुत्र रूप राम, निवासी गोजर कडायन, तहसील
पांवटा, जिला सिरमौर, हिमाचल प्रदेश .. प्रार्थी ।

बनाम

आम जनता

प्रार्थना-पत्र जेर धारा 41 (B) भारतीय पंजीकरण अधिनियम,
1908 वराये किए जाने पंजीकृत वसीयत नामा ।

नोटिस बनाम आम जनता ।

उपरोक्त उनवान मुकद्दमा में प्रार्थी जाती राम पुत्र रूप राम, निवासी
गोजर कडायन, तहसील पांवटा ने एक दरखास्त इस कार्यालय में
दिनांक 15-2-1996 को दी है कि उसकी बुद्धि जिनदो देवी पुत्री
सुन्दूर पत्नी दलीप सिंह, निवासी मानपुर, तहसील पांवटा, जिला
सिरमौर ने एक अन रजिस्टर्ड वसीयत जाती राम, चेत राम पुत्र रूप राम
1/2, अमर नैन पुत्र सुन्दर 1/2, चौगा पुत्र रूलदू 1/2 तथा रोशन पुत्र
घोटन के नाम तहरीर करवाई है, जितको पंजीकृत किया जाना है।
मुनाविक प्रमाण-पत्र मत्यु दिनांक 19-5-1990 को वसीयत न्तर्ता
श्रीमती जिनदो देवी स्वर्ग सिधार गई है।

अतः इम नोटिस इश्तहार द्वारा आम जनता को सूचित किया
जाता है कि इस वसीयत नामे को पंजीकृत करने वारे कोई उजर
व एतराज हो तो वह दिनांक 5-8-96 को सुबह 10 बजे ब वकालतन
हाजिर अदालत आकर पेश कर सकते हैं अन्यथा एकतरफा कार्यवाही
अमल में लाई जाएगी ।

आज दिनांक 18-5-1996 को मेरे हस्ताक्षर व मोहर अदालत से
जारी हुआ ।

मोहर ।

देविन्द्र सिंह कंवर,
उप-पंजीयाल,
पांवटा, जिला सिरमौर ।

ब अदालत श्री देविन्द्र सिंह कंवर, उप-पंजीयाल, पांवटा साहिव, जिला
सिरमौर, हिमाचल प्रदेश

मुकद्दमा नं 0 2/96

जगी राम पुत्र करतारा राम, निवासी गोरखु वाला, तहसील पांवटा,
जिला सिरमौर, हिमाचल प्रदेश .. प्रार्थी ।

बनाम

आम जनता

प्रार्थना-पत्र जेर धारा 41 (B) भारतीय पंजीकरण अधिनियम
1908 वराये किए जाने पंजीकृत वसीयतनामा ।

नोटिस बनाम आम जनता ।

उपरोक्त उनवान मुकद्दमा में प्रार्थी श्री जगी राम पुत्र करतारा राम,
निवासी गोरखु वाला, तहसील पांवटा, जिला सिरमौर ने इस अदालत
को एक प्रार्थना-पत्र गुजारा है कि उसकी वहन श्रीमती मत्या देवी पुत्री
करतारा राम, पत्नी पिरथी मिह, निवासी अरुवाला ने एक अन-
रजिस्टर्ड वसीयत प्रार्थी जगीराम पुत्र करतारा राम के नाम तहरीर
कराई है जिसको पंजीकृत किया जाना है। मुनाविक प्रमाण पत्र मत्यु
दिनांक 7-7-1995 को वर्मीयत कर्ता श्रीमती मत्या देवी स्वर्ग सिधार
गई है।

अतः इम नोटिस/इश्तहार द्वारा आम जनता को सूचित किया जाता
है कि इस वसीयत नामे को पंजीकृत करने वारे कोई उजर व एतराज

हो तो वह दिनांक 5-8-1996 को सुबह 10 बजे असालतन व वकालतन
हाजिर अदालत आकर पेश कर सकते हैं अन्यथा एकतरफा कार्यवाही
अमल में लाई जाएगी ।

आज दिनांक 18-5-1996 को मेरे हस्ताक्षर व माहर अदालत
से जारी हुआ ।

मोहर ।

देविन्द्र सिंह कंवर,
उप-पंजीयाल,
पांवटा, जिला सिरमौर ।

.. प्रत्यार्थीगण ।

इश्तहार

ब अदालत कार्यकारी दण्डाधिकारी, शिलाई, जिला सिरमौर,
हिमाचल प्रदेश

श्री पंच राम पुत्र श्री नैन सिंह, आम धिरोग (बाली-कोटी),
तहसील शिलाई, जिला सिरमौर, हिमाचल प्रदेश ।

बनाम

आम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

उपरोक्त प्रार्थी ने अपना व्यान हल्की मय प्रार्थना-पत्र के अदालत
हजा में इस आश्य के साथ प्रस्तुत किया है कि इसकी लड़की कु 0 निर्जला
जिसकी जन्म तिथि 2-1-1993 है, पंचायत रिकाई में दर्ज करने
से रह गई है जिसे साथल अब दर्ज रिकाई करवाना चाहता है।

अतः सर्वसाधारण को वजरिया इश्तहार के सूचित किया जाता है
कि इस सम्बन्ध में यदि किसी शख्स को कोई उजर अथवा एतराज हो
तो वह स्वयं अथवा अपने प्रतिनिधि के द्वारा दिनांक 30-7-1996 को
प्रातः 10 बजे अदालत हजा में उपस्थित होकर प्रस्तुत करें अन्यथा कार्य-
वाही यकतरफ अमल में लाई जावेगी ।

आज दिनांक 10-6-1996 को हमारे हस्ताक्षर व मोहर अदालत
से जारी किया गया ।

मोहर ।

विष्णु दत्त,
कार्यकारी दण्डाधिकारी,
शिलाई, जिला सिरमौर,
हिमाचल प्रदेश ।

ब अदालत कार्यकारी दण्डाधिकारी, शिलाई, जिला सिरमौर,
हिमाचल प्रदेश

श्री दीपा राम पुत्र श्री वना राम, साकिन शाईना, तहसील शिलाई,
जिला सिरमौर, हिमाचल प्रदेश

बनाम

आम जनता

नोटिस बनाम आम जनता ।

उपरोक्त प्रार्थी ने इस अदालत में अपना प्रार्थना-पत्र मय व्यान
हल्की के इस आश्य से पेश किया है कि श्रीमती गुलाबी देवी इसका
व्याहना व हकीकी पत्नी है तथा उनके लुत्फ से एक लड़का मिस्टर विनोद
व तीन लड़कियां कु 0 वर्षीया देवी, सुमत देवी व पूनम देवी पैदा हुए
उनकी हकीकी मन्त्रान हैं। लेकिन उसकी पत्नी व उनके चारों बच्चे
गलती से पंचायत रिकाई में उसके भाई रामभज के नाम दर्ज हो गए हैं
जिसे वह अब दुरुस्त करवाना चाहता है।

अतः सर्वसाधारण को इश्तहार हजा के सूचित किया जाता है कि
इस सम्बन्ध में यदि किसी शख्स को कोई उजर अथवा एतराज हो तो

वह स्वयं या अपने किसी प्रतिनिधि के द्वारा दिनांक 30-7-1996 को सुनह 10 बजे इस अदालत में हाजिर होकर पेश करें अन्यथा कार्यवाही यक्तरफ अमल में लाई जावेगी।

आज दिनांक 10-6-1996 को हमारे हस्ताक्षर व मोहर अदालत में जारी किया गया।

मोहर।

विष्णु दत्त,
कार्यकारी दण्डधिकारी,
शिलाई जिला सिरमौर,
हिमाचल प्रदेश।

इश्तहार

व अदालत कार्यकारी दण्डधिकारी, शिलाई, जिला सिरमौर,
हिमाचल प्रदेश

श्री दीलत गम पूत्र श्री सिंहा राम, ग्राम शणाईल, तहसील शिलाई,
जिला सिरमौर, हिमाचल प्रदेश।

वनाम

आम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

उपरोक्त प्रार्थी ने अपना व्यान हल्की मय प्रार्थना-पत्र के अदालत हजा में इस आशय के साथ प्रस्तुत किया है कि इसकी लड़की कु0 निर्मला देवी जिसकी जन्म तिथि 1-3-1987 है, पंचायत रिकार्ड में दर्ज करने से रह गई है जिसे सायल अब दर्ज रिकार्ड करवाना चाहता है।

अतः सर्वसाधारण को वज्रिया इश्तहार के सूचित किया जाता है कि इस सम्बन्ध में यदि किसी शख्स को कोई उजर अथवा एतराज हो तो वह स्वयं अथवा अपने प्रतिनिधि के द्वारा दिनांक 30-7-1996 को प्रातः 10 बजे अदालत हजा में उपस्थित होकर प्रस्तुत करें अन्यथा कार्यवाही यक्तरफ अमल में लाई जाएगी।

आज दिनांक 10-6-1996 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

विष्णु दत्त,
कार्यकारी दण्डधिकारी,
शिलाई, जिला सिरमौर,
हिमाचल प्रदेश।

इश्तहार

व अदालत कार्यकारी दण्डधिकारी, शिलाई, जिला सिरमौर,
हिमाचल प्रदेश

श्रीमती मनसो देवी विवाहा पंचराम, ग्राम शरोग, तहसील शिलाई,
जिला सिरमौर, हिमाचल प्रदेश।

वनाम

आम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण प्रधिनियम,
1969.

उपरोक्त प्रार्थी ने अपना व्यान हल्की मय प्रार्थना-पत्र के अदालत हजा में इस आशय के साथ प्रस्तुत किया है कि इसके पति पंचराम जिसकी मृत्यु 15-4-1995 को हो गई है, पंचायत रिकार्ड में दर्ज करवाने से रह गई है जिसे सायल अब रिकार्ड करवाना चाहती है।

अतः सर्वसाधारण को वज्रिया इश्तहार के सूचित किया जाता है कि इस सम्बन्ध में यदि किसी शख्स को कोई उजर अथवा एतराज हो तो वह स्वयं अथवा अपने प्रतिनिधि के द्वारा दिनांक 30-7-1996 को प्रातः 10 बजे अदालत हजा में उपस्थित होकर प्रस्तुत करें। अन्यथा कार्यवाही यक्तरफ अमल में लाई जाएगी।

आज दिनांक 10-6-1996 को हमारे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

विष्णु दत्त,
कार्यकारी दण्डधिकारी,
शिलाई, जिला सिरमौर।

इश्तहार

व अदालत कार्यकारी दण्डधिकारी, शिलाई, जिला सिरमौर
हिमाचल प्रदेश

श्रीमती मनसो देवी विवाहा श्री पंचराम, ग्राम शरोग, तहसील शिलाई,
जिला सिरमौर, हिमाचल प्रदेश।

वनाम

आम जनता

दरखास्त जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम,
1969.

उपरोक्त प्रार्थी ने अपना व्यान हल्की मय प्रार्थना-पत्र के अदालत हजा में इस आशय के साथ प्रस्तुत किया है कि उसकी लड़की कु0 सुमन देवी, जिसकी जन्म तिथि 25-3-91 है, पंचायत रिकार्ड में दर्ज करने से रह गई है, जिसे सायल अब दर्ज रिकार्ड करवाना चाहती है।

अतः सर्वसाधारण को वज्रिया इश्तहार के सूचित किया जाता है कि इस सम्बन्ध में यदि किसी शख्स को कोई उजर अथवा एतराज हो तो वह स्वयं अथवा अपने प्रतिनिधि के द्वारा दिनांक 30-7-1996 को प्रातः 10.00 बजे अदालत हजा में उपस्थित होकर प्रस्तुत करें अन्यथा कार्यवाही यक्तरफ अमल में लाई जाएगी।

आज दिनांक 10-6-96 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

विष्णु दत्त,
कार्यकारी दण्डधिकारी,
शिलाई, जिला सिरमौर।

इश्तहार

व अदालत कार्यकारी दण्डधिकारी, शिलाई, जिला सिरमौर,
हिमाचल प्रदेश

श्री फकीर चन्द पूत्र श्री बुधिया, निवासी ग्राम बैगानी, तहसील शिलाई,
जिला सिरमौर, हिमाचल प्रदेश।

वनाम

आम जनता

नोटिस वनाम आम जनता।

उपरोक्त प्रार्थी ने इस अदालत में अपना प्रार्थना-पत्र मय व्यान हल्की के इस आशय से पेश किया है कि श्रीमती सन्नी देवी पुत्री गुज़का राम, नाकिन बेला इसकी व्याहता एवं हकीको पत्ती है। लैकिन पंचायत रिकार्ड में उसको उत्त पत्ती व तीन लड़कों सर्वश्री विजेन्द्र मिह, राजेन्द्र मिह, श्याम जिंह तथा एक लड़की कुमारी विद्या देवी के नाम गलती से उसके छोटे भाई श्री गंगा राम के नाम दर्ज हो गए हैं। अब प्रार्थी अपनी पत्ती एवं बच्चों की बल्दी-यत सही दर्ज रिकार्ड करवाना चाहती है।

अतः सर्वसाधारण को इस इश्तहार हजा के सूचित किया जाता है कि इस सम्बन्ध में यदि किसी शख्स को कोई उजर अथवा एतराज हो तो वह स्वयं या अपने प्रतिनिधि के द्वारा दिनांक 30-7-1996 को सुबह 10 बजे इस अदालत में हाजिर होकर पेश करें। अन्यथा कार्यवाही यक्तरफा अमल में लाई जाएगी।

आज दिनांक 10-6-1996 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

विष्णु दत्त,
कार्यकारी दण्डाधिकारी,
शिलाई, जिला सिरमौर।

In the court of Shri R. K. Verma, Sub-Judge 1st Class,
Nalagarh, Himachal Pradesh

Civil Suit No. 246/1 of 94

M/s Patiala Distillers and manufacturers Ltd. Baddi,
Tehsil Nalagarh, District Solan, Himachal Pradesh
through its Senior General Manager, Shri K. M.
Aggarwal. .. Plaintiff.

Versus

1. M/s Kamal Enterprises L-1, Tara Devi, Shimla,
Himachal Pradesh through its Manager, 2. Jetinder
Malhotra son of Shri G. R. Malhotra, Prop./Partner of
M/s Kamal Enterprises L-1, Tara Devi, Shimla r/o Lal
Bhawan, Near Subji Mandi, Shimla. 3. Rajesh Kumar
Prop./Partner of M/s Kamal Enterprises, L-1, Tara Devi
Shimla, c/o Durga Spices, Gunj, Shimla. 4. Krishan Gopal
Patial, Prop./Partner of M/s Kamal Enterprises L-1,
Tara Devi Shimla c/o Mohan Mekins Ltd. Cart Road
Shimla. 5. Sanjeev Kumar, Prop./Partner of M/s Kamal
Enterprises L-1, Tara Devi Shimla r/o Dwarkagarh
near Ram Bazar, Shimla. 6. Mrs. Bhanu Sood wife of
Shri Suphal Kumar Sood, Prop./Partner of M/s Kamal
Enterprises of L-1, Tara Devi Shimla c/o Rajendra
Jewellers, Lower Bazar Shimla, 7. Shri Rajeev Sood
s/o Rajendra Jewellers, Lower Bazar, Shimla Prop./Part-
ner of M/s Kamal Enterprises, L-1, Tara Devi Shimla.
.. Defendants.

Suit for recovery of Rs. 50,000/-

Notice under order 5, Rule 20, C.P.C.

Whereas in the above noted case it has been proved to the satisfaction of this Court that above mentioned defendants No. 1, 5 and 7 can not be served in the normal course of service as summons issued to them received unserved,

Hence this proclamation under Order 5, Rule 20, C.P.C. is hereby issued against defendants No. 1, 5 and 7 namely, M/s Kamal Enterprises, Sanjeev Sharma and Shri Rajeev Sood to appear before this Court on or before 5-8-96 at 10 A. M. personally or through an authorised agent/pleader to defend the case, failing which the *ex-parte* proceedings shall be initiated against them.

Given under my hand and seal of the Court this 31st day of May, 1996.

Scal.

R. K. VERMA,
Sub-Judge 1st Class,
Nalagarh, District Solan, (H. P.)

Office of the Sub. Divisional Officer (Civil), Chamba.

OFFICE ORDER

Chamba, the 18th March, 1996

No. 283.—In exercise of the powers conferred upon me *vide* section 14 of the Himachal Pradesh Agricultural Produce Markets Act, 1969 and Rule 27 of the Himachal Pradesh Agricultural Produce Market Rule,

1971. Shri Sansar Chand Mahajan has been elected and declared the Chairman Market Committee, Chamba with effect from 7-2-1996.

SUBASH NANDA,
Presiding Officer,
Sub-Divisional Officer (Civil),
Chamba, District Chamba (H. P.)

H. P. MARKETING BOARD, HARI NIWAS,
TUTU, SHIMLA-11
MARKET COMMITTEE KULLU
NOTIFICATIONS

Shimla-11, the 18th May, 1996

No. HMB-6-24/95.—In continuation to this office Notification No. HMB/6-24/95-III, dated 4th December, 1995 the H.P. Marketing Board appoints Shri Chander Kiran Prarthi, Village & P.O. Nagar, Tehsil & District Kullu as producer member of Market Committee Kullu. This notification shall come in to force with immediate effect.

DHARAM PAL,
Chairman,
H. P. Marketing Board, Shimla.

Shimla-11, the 18th June, 1996

No. HMB-5-14/90-1212.—In exercise of the powers conferred by sub section 2 of section 4 of the H.P. Agriculture Produce Market Act, 1969 (Act No. 9 of 1970) and in pursuance of notification No. Agr-F-14 (3)/85 dated 12-1-96 issued by the Commissioner-cum-Secretary (Agr.) to the government of Himachal Pradesh, Shimla-2, the H. P. Marketing Board *vide* resolution No. III (12) passed in its meeting held on 5-6-1996, amalgamate all the revenue estates within a radius/distance of 5 kms. taken from a central point in the market yard, Parwanoo, District Solan, Himachal Pradesh which were delineated from Market Committee Solan *vide* schedule II of notification No. HMB/6-24/86, dated 20-2-93 and notify the Market area of Market Committee, Solan as below:—

SCHEDULE-I

Sl. No.	Revenue estate	Tehsil	District
1	2	3	4

1. All the revenue estates including Municipal Committee, in District Notified Area Committee Solan. Contonement board area of Solan District (H. P.).
2. All revenue estates of Rajgarh Tehsil Rajgarh, District Sirmaur.

By order,
Sd/-
Chairman,
H. P. Marketing Board.

भाग 6—भारतीय राजपत्र इत्यादि में से पून प्रकाशन

LAW DEPARTMENT

Legislation (English) Section

NOTIFICATIONS

Shimla-2, the 8th June, 1994

No. IUR-E(9)-7/94-Legislation.—The following Acts, recently passed by the Parliament and published in the Gazette of India, Extra-ordinary, Part-II, section-I are hereby republished in the Himachal Pradesh Government Rajpatra for the information of the general public

Sl. No.	Title	Date of Assent	Date of the Gazette of India, (extra-ordinary, part-II, section-I in which the Acts were published.
1	2	3	4
1.	The Merchant shipping (Amendment) Act, 1993 (Act No. 68 of 1993).	17-12-1993	20-12-1993
2.	The Public Record Act, 1993 (Act No. 69 of 1993).	21-12-1993	22-12-93
3.	The Advocates (Amendment) Act, 1993 (Act No. 70 of 1993).	26-12-1993	27-12-1993
4.	The presidents Emoluments and Pension (Amendment) Act, 1993 (Act No. 71 of 1993).	26-12-1993	27-12-1993
5.	The Supreme Court Judges (Conditions of service) Amendment, Act, 1993 (Act, No. 72 of 1993).	26-12-1993	27-12-1993
6.	The National Council for Teacher Education Act, 1993 (Act No. 73 of 1993).	29-12-1993	30-12-1993
7.	The Constitution (Seventy-fifth Amendment) Act, 1993.	5-2-1994	8-2-1994
8.	The Governors (Emoluments, Allowances and privileges) Amendment. Act. 1993 (Act No. 1 of 1994).	4-1-1994	4-1-1994
9.	The High Court and Supreme Court Judges (Conditions of Services) Amendment Act, 1993 (Act No. 2 of 1994).	4-1-1994	4-1-1994
10.	The State Bank of India (Amendment) Act, 1993 (Act No. 3 of 1994).	4-1-1994	4-1-1994
11.	The Chief Election Commissioner and other Election Commissioners (Condition of Service) Amendment Act, 1993 (Act No. 4 of 1994).	4-1-1994	4-1-1994
12.	The Appropriation (No. 5, Act 1993 (Act No. 5 of 1994).	4-1-1994	4-1-1994

1	2	3	4
13.	The Kalakshetra Foundation Act, 1993 (Act No. 6 of 1994).	4-1-1994	4-1-1994
14.	The Public Premises (Eviction of Unauthorised occupants) Amendment Act, 1993 (Act No. 7 of 1994).	7-1-1994	7-1-1994
15.	The Inland Waterways Authority of India (Amendment) Act, 1993 (Act No. 8 of 1994).	7-1-1994	7-1-1994
16.	The Jute Manufactures Development Council (Amendment) Act, 1993 (Act No. 9 of 1994).	7-1-1994	7-1-1994
17.	The Sick Industrial Companies (Special provision) Amendment Act, 1993 (Act No. 12 of 1994).	1-2-1,94	1-2-1994
18.	The Census (Amendment) Act, 1993 (Act No. 11 of 1994).	14-1-1994	14-1-1994

By order,

[d/-
Secretary (Law).]

THE MERCHANT SHIPPING (AMENDMENT) ACT, 1993

AN

ACT

further to amend the Merchant Shipping Act, 1958

BE it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Merchant Shipping (Amendment) Act, 1993.

(2) It shall be deemed to have come into force on the 27th day of October, 1993.

2. *Amendment of section 21.*—In section 21 of the Merchant Shipping Act, 1958 (44 of 1958) (hereinafter referred to as the principal Act), for clauses (b) and (c), the following clauses shall be substituted, namely:—

“(b) a company or a body established by or under any Central or State Act which has its principal place of business in India ; or

(c) a co-operative society which is registered or deemed to be registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law relating to co-operative societies for the time being in force in any State.”.

3. *Amendment of section 42.*—In section 42 of the principal Act,—

(i) in sub-section (1), after the words “interest therein”, the words, brackets and figures “at any time during which the security of India or of any part of the territory thereof is threatened by war or external aggression and during which a Proclamation of Emergency issued under

clause (1) of article 352 of the Constitution is in operation" shall be inserted :

(ii) after sub-section (2), the following sub-section shall be inserted, namely:—

"(2A) No transfer or acquisition of any Indian ship shall be valid unless—

(a) all wages and other amounts due to seamen in connection with their employment on that ship have been paid in accordance with the provisions of this Act;

(b) the owner of the ship has given notice of such transfer or acquisition of the ship to the Director General.".

4. *Amendment of section 45.*—In section 45 of the principal Act, in sub-section (2), for the words "company or any co-operative society", the words "company or body or co-operative society" shall be substituted.

5. *Substitution of new section for section 51.*—For section 51 of the principal Act, the following section shall be substituted, namely:—

Rights of mortgagee.—"51 (1) Where there is only one registered mortgagee of a ship or share, he shall be entitled to recover the amount due under the mortgage by selling the mortgaged ship or share without approaching the High Court:

Provided that nothing contained in this sub-section shall prevent the mortgagee from recovering the amount so due in the High Court as provided in sub-section (2).

(2) Where there are two or more registered mortgagees of a ship or share they shall be entitled to recover the amount due under the mortgage in the High Court, and when passing a decree or thereafter the High Court may direct that the mortgaged ship or share be sold in execution of the decree.

(3) Every registered mortgagee of a ship or share who intends to recover the amount due under the mortgage by selling the mortgaged ship or share under sub-section (1) shall give an advance notice of fifteen days relating to such sale to the registrar of the ship's port of registry.

(4) The notice under sub-section (3) shall be accompanied with the proof of payment of the wages and other amounts referred to in clause (a) of sub-section (2A) of section 42."

6. *Omission of section 412.*—Section 412 of the principal Act shall be omitted.

7. *Amendment of section 414.*—In section 414 of the principal Act, in sub-section (2), clause (b) and (c) shall be omitted.

8. *Repeal and saving.*—(1) The Merchant Shipping (Amendment) Ordinance, 1993 (Ord. 34 of 1993) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Union territory Administrations, public sector undertakings, statutory bodies and Corporations, commissions and committees constituted by the Central Government or a Union territory Administration and matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Public Records Act, 1993.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "Board" means the Archival Advisory Board constituted under sub-section (1) of section 13 ;

(b) "Director General" means the Director General of Archives appointed by the Central Government and includes any officer authorised by that Government to perform the duties of the Director General ;

(c) "head of the Archives" means a person holding the charge of the Archives of the Union territory Administration ;

(d) "prescribed" means prescribed by rules made under this Act;

(e) "public records" includes—

(i) any document, manuscript and file ;

(ii) any microfilm, microfiche and facsimile copy of a document ;

(iii) any reproduction of image or images embodied in such microfilm (whether enlarged or not); and

(iv) any other material produced by a computer or by any other device,

of any records creating agency;

(f) "records creating agency" includes,—

(i) in relation to the Central Government, any ministry, department or office of that Government ;

(ii) in relation to any statutory body or corporation wholly or substantially controlled or financed by the Central Government or commission or any committee constituted by that Government, the offices of the said body, corporation, commission or committee ;

(iii) in relation to a Union territory Administration, any department or office of that Administration ;

(iv) in relation to any statutory body or corporation wholly or substantially controlled or financed by Union territory Administration or commission or any committee constituted by that Administration, the offices of the said body, corporation, commission or committee ;

(g) "records officer" means the officer nominated by the records creating agency under sub-section (1) of section 5.

3. *Power of the Central Government to coordinate, regulate and supervise operations connected with*

THE PUBLIC RECORDS ACT, 1993

AN

ACT

to regulate the management, administration and preservation of public records of the Central Government,

administration, management, etc. of public records, (1) The Central Government shall have the power to coordinate, regulate and supervise the operations connected with the administration, management, preservation, selection, disposal and retirement of public records under this Act.

(2) The Central Government in relation to the public records of the records creating agencies specified in sub-clauses (i) and (ii) of clause (f) of section 2 and the Union Territory Administration in relation to the public records of the records creating agencies specified in sub-clauses (iii) and (iv) of the said clause, may, by order, authorise the Director General or the head of the Archives, as the case may be subject to such conditions as may be specified in the order, to carry out all or any of the following functions, namely:—

- (a) supervision, management and control of the Archives;
- (b) acceptance for deposit of public records of permanent nature after such period as may be prescribed;
- (c) custody, use and withdrawal of public records;
- (d) arrangement, preservation and exhibition of public records;
- (e) preparation of inventories, indices, catalogues and other reference media of public records;
- (f) analysing, developing, promoting and coordinating the standards, procedures and the techniques for improvement of the records management system;
- (g) ensuring the maintenance, arrangement and security of public records in the Archives and in the offices of the records creating agency;
- (h) promoting utilisation of available space and maintenance of equipments for preserving public records;
- (i) tendering advice to records creating agencies on the compilation, classification and disposal of records and application of standards, procedures and techniques of records management;
- (j) survey and inspection of public records;
- (k) organising training programmes in various disciplines of Archives administration and records management;
- (l) accepting records from any private source;
- (m) regulating access to public records;
- (n) receiving records from defunct bodies and making arrangement for securing public records in the event of national emergency;
- (o) receiving reports on records management and disposal practices from the records officer;
- (p) providing authenticated copies of, or extracts from, public records;
- (q) destroying or disposal of public records;
- (r) obtaining on lease or purchasing or accepting as gift any document of historical or national importance.

4. *Prohibition against taking of public records out of India.*—No person shall take or cause to be taken out of India any public records without the prior approval of the Central Government:

Provided that no such prior approval shall be required if any public records are taken or sent out of India for any official purpose.

5. *Records Officer.*—(1) Every records creating agency shall nominate one of its officers as records officer to discharge the functions under this Act.

(2) Every records creating agency may set up such number of record rooms in such places as it deems fit and shall place each record room under the charge of a records officer.

6. *Responsibility of records officer.*—(1) The records officer shall be responsible for—

- (a) proper arrangement, maintenance and preservation of public records under his charge;
- (b) periodical review of all public records and weeding out public records of ephemeral value;
- (c) appraisal of public records which are more than twenty-five years old in consultation with the National Archives of India or, as the case may be, the Archives of the Union territory with a view to retaining public records of permanent value;
- (d) destruction of public records in such manner and subject to such conditions as may be prescribed under sub-section (1) of section 8;
- (e) compilation of a schedule of retention for public records in consultation with the National Archives of India or, as the case may be, the Archives of the Union territory;
- (f) periodical review for downgrading of classified public records in such manner as may be prescribed;
- (g) adoption of such standards, procedures and techniques as may be recommended from time to time by the National Archives of India for improvement of record management system maintenance of security of public records;
- (h) compilation of annual indices of public records;
- (i) compilation of organisational history and annual supplement thereto;
- (j) assisting the National Archives of India or, as the case may be, the Archives of the Union territory for public records management;
- (k) submission of annual report to the Director General or, as the case may be, head of the Archives in such manner as may be prescribed;
- (l) transferring of records of any defunct body to the National Archives of India or the Archives of the Union territory, as the case may be, for preservation.

(2) The records officer shall act under the direction of the Director General or, as the case may be, head of the Archives while discharging the responsibilities specified in sub-section (1).

7. *Records officer to take appropriate action in the event of unauthorised removal, destruction, etc., of public records in his custody.*—The records officer shall, in the event of any unauthorised removal, destruction, defacement or alteration of any public records under his charge, forthwith take appropriate action for the recovery or restoration of such public records.

(2) The records officer shall submit a report in writing to the Director General or, as the case may be, the head of the Archives without any delay on any information about any unauthorised removal, destruction, defacement or alteration of any public records under his charge and about the action initiated by him and shall take action as he may deem necessary subject to the directions, if any, given by the Director General or, as the case may be, head of the Archives.

(3) The records officer may seek assistance from any government officer or any other person for the purpose of recovery or restoration of public records and such officer or person shall render all assistance to the records officer.

8. *Destruction or disposal of public records.*—(1) Save as otherwise provided in any law for the time being in force, no public record shall be destroyed or otherwise disposed of except in such manner and subject to such conditions as may be prescribed.

(2) No record created before the year 1892 shall be destroyed except where in the opinion of the Director General or, as the case may be, the head of the Archives, it is so defaced or is in such condition that it cannot be put to any archival use.

9. *Penalty for contraventions.*—Whoever contravenes any of the provisions of section 4 or section 8 shall be punishable with imprisonment for a term which may extend to five years or with fine which may extend to ten thousand rupees or with both.

10. *Public records bearing security classification.*—No public records, bearing security classification shall be transferred to the National Archives of India or the Archives of the Union territory.

11. *Receipt of records from private sources.*—(1) The National Archives of India or the Archives of the Union territory may accept any record of historical or national importance from any private source by way of gift, purchase or otherwise.

(2) The National Archives of India or, as the case may be, the Archives of any Union territory may, in such manner and subject to such conditions as may be prescribed, make any record referred to in sub-section (1) available to any *bona fide* research scholar.

12. *Access to public records.*—(1) All unclassified public records as are more than thirty years old and are transferred to the National Archives of India or the Archives of the Union territory may be, subject to such exceptions and restrictions as may be prescribed made available to any *bona fide* research scholar.

Explanation.—For the purposes of this sub-section, the period of thirty years shall be reckoned from the year of the opening of the public record.

(2) Any records creating agency may grant to any person access to any public record in its custody in such manner and subject to such conditions as may be prescribed.

13. *Archival Advisory Board.*—(1) The Central Government may, by notification in the Official Gazette, constitute an Archival Advisory Board for the purposes of this Act.

(2) The Board shall consist of the following members, namely:—

(a) Secretary the Government of India in the Ministry of Central Government dealing with culture. *Chairman*

(b) one officer, not below the rank of Joint Secretary to the Government of India, each from the Cabinet Secretariat, Ministry of Home Affairs, Ministry of Defence, Ministry of External Affairs, Ministry of Finance and Ministry of Personnel, Public Grievances and Pension. *Member, ex officio.*

(c) two representatives not below the rank of Joint Secretary in the Union territory Administrations to be nominated by the Central Government. *Members*

(d) three persons to be nominated by the Central Government for a period not exceeding three years, one *Members*

being an Archivist and two being Professors in the Post-graduate Department of History in any recognised University.

(e) Director General

*Member-Secretary
ex officio.*

(3) The members nominated under clause (d) of sub-section (2) shall be paid such allowances as may be prescribed.

14. *Functions of the Board.*—The Board shall perform the following functions, namely:—

- (a) advise the Central Government and Union territory Administrations on matters concerning the administration, management, conservation and use of public records;
- (b) lay down guidelines for training of Archivists;
- (c) give directions for acquisition of records from private custody;
- (d) deal with such other matters as may be prescribed.

15. *Power of the Director General to lay down norms and standards for courses in archival science.*—The Director General shall have the power to lay down norms and standards for courses curricula, assessment and examinations relating to the training in archival science and other ancillary subjects.

16. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceedings shall lie against any person in respect of anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.

17. *Power to make rule.*—(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the period after which public records of permanent nature may be accepted under clause (b) of sub-section (2) of section 3;
- (b) the manner in which and the conditions subject to which public records can be destroyed under clause (d) of sub-section (1) of section 6;
- (c) the manner in which periodical review of classified public records for downgrading shall be undertaken under clause (f) of sub-section (1) of section 6;
- (d) the manner in which the records officer will report to the Director General or the head of the archives under clause (k) of sub-section (1) of section 6;
- (e) the manner in which and the conditions subject to which public records may be destroyed or disposed of under sub-section (1) of section 8;
- (f) the manner in which and the conditions subject to which records of historical or national importance may be made available to research scholar under sub-section (2) of section 11;
- (g) exceptions and restrictions subject to which public records may be made available to a research scholar under sub-section (1) of section 12;
- (h) the manner in which and the conditions subject to which any records creating agency may grant to any person access to public records in its custody under sub-section (2) of section 12;
- (i) the allowances payable to members of the Board under sub-section (3) of section 13;
- (j) the matters with respect to which the Board may perform its functions under clause (d) of section 14;

(k) any other matter which is required to be, or may be, prescribed.

18. Laying of rules before Parliament.—Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in marking any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE PUBLIC RECORDS ACT, 1993

AN

ACT

to regulate the management, administration and preservation of public records of the Central Government, Union territory Administrations, public sector undertakings, statutory bodies and corporations, commissions and committees constituted by the Central Government or a Union territory Administration and matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:

1. Short title and commencement.—(1) This Act may be called the Public Records Act, 1993.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) "Board" means the Archival Advisory Board constituted under sub-section (1) of section 13;

(b) "Director General" means the Director General of Archives appointed by the Central Government and includes any officer authorised by that Government to perform the duties of the Director General;

(c) "head of the Archives" means a person holding the charge of the Archives of the Union territory Administration;

(d) "prescribed" means prescribed by rules made under this Act;

(e) "public records" includes—

(i) any document, manuscript and file;

(ii) any microfilm, microfiche and facsimile copy of a document;

(iii) any reproduction of image or images embodied in such microfilm (whether enlarged or not); and

(iv) any other material produced by a computer or by any other device.

of any records creating agency;

(f) records creating agency includes,—

(i) in relation to the Central Government, any ministry, department or office of that Government;

(ii) in relation to any statutory body or corporation wholly or substantially controlled or financed by the Central Government, or commission or any committee constituted by that Government, the offices of the said body, corporation, commission or committee;

(iii) in relation to a Union territory Administration, any department or office of that administration;

(iv) in relation to any statutory body or corporation wholly or substantially controlled or financed by Union territory Administration or commission or any committee constituted by that Administration, the offices of the said body corporation, commission or committee;

(g) "records officer" means the officer nominated by the records creating agency under sub-section (1) of section 5.

3. Power of the Central Government to coordinate, regulate and supervise operations connected with administration, management etc., of public records.—(1) The Central Government shall have the power to coordinate regulate and supervise the operations connected with the administration, management preservation, selection, disposal and retirement of public records under this Act.

(2) The Central Government in relation to the public records of the records creating agencies specified in sub-clauses (i) and (ii) of clause (f) of section 2 and the Union territory Administration in relation to the public records of the records creating agencies specified in sub-clauses (iii) and (iv) of the said clause, may, by order, authorise the Director General or the head of the Archives, as the case may be, subject to such conditions as may be specified in the order, to carry out all or any of the following functions, namely:—

(a) supervision, management and control the Archives;

(b) acceptance for deposit of public records of permanent nature after such period as may be prescribed;

(c) custody, use and withdrawal of public records;

(d) arrangement, preservation and exhibition of public records;

(e) preparation of inventories, indices, catalogues and other reference media of public records;

(f) analysing, developing, promoting and coordinating the standards, procedures and the techniques for improvement of the records management system;

(g) ensuring the maintenance, arrangement and security of public records in the Archives and in the offices of the records creating agency;

(h) promoting utilisation of available space and maintenance of equipments for preserving public records;

(i) tendering advice to records creating agencies on the compilation, classification and disposal of records and application of standards, procedure and techniques of records management;

(j) survey and inspection of public records;

(k) organising training programmes in various disciplines of Archives administration and records management;

(l) Accepting records from any private source.

- (m) regulating access to public records;
- (n) receiving records from defunct bodies and making arrangement for securing public records in the event of national emergency;
- (o) receiving reports on records management and disposal practices from the records officer;
- (p) providing authenticated copies of, or extracts from, public records;
- (q) destroying or disposal of public records;
- (r) obtaining on lease or purchasing or accepting as gift any document of historical or national importance.

4. Prohibition against taking of public records out of India.—No person shall take or cause to be taken out of India any public records without the prior approval of the Central Government:

Provided that no such prior approval shall be required if any public records are taken or sent out of India for any official purpose.

5. Records officer.—(1) Every records creating agency shall nominate one of its officers as records officer to discharge the functions under this Act.

(2) Every records creating agency may set up such number of record rooms in such places as it deems fit and shall place each record room under the charge of a records officer.

6. Responsibilities of records officer.—(1) The records officer shall be responsible for—

- (a) proper arrangement, maintenance and preservation of public records under his charge;
- (b) periodical review of all public records and weeding out public records of ephemeral value;
- (c) appraisal of public records which are more than twenty-five years old in consultation with the National Archives of India or, as the case may be, the Archives of the Union territory with a view to retaining public records of permanent value;
- (d) destruction of public records in such manner and subject to such conditions as may be prescribed under sub-section (1) of section 8;
- (e) compilation of a schedule of retention for public records in consultation with the National Archives of India or, as the case may be, the Archives of the Union territory;
- (f) periodical review for downgrading of classified public records in such manner as may be prescribed;
- (g) adoption of such standards, procedures and techniques as may be recommended from time to time by the National Archives of India for improvement of record management system and maintenance of security of public records;
- (h) compilation of annual indices of public records;
- (i) compilation of organisational history and annual supplement thereto;
- (j) assisting the National Archives of India or, as the case may be, the Archives of the Union territory for public records management;
- (k) submission of annual report to the Director General or, as the case may be, head of the Archives in such manner as may be prescribed;

(l) transferring of records of any defunct body to the National Archives of India or the Archives of the Union territory, as the case may be, for preservation.

(2) The records officer shall act under the direction of the Director General or, as the case may be, head of the Archives while discharging the responsibilities specified in sub-section (1).

7. Records officer to take appropriate action in the event of unauthorised removal, destruction etc., of public records in his custody.—(1) The records officer shall, in the event of any unauthorised removal, destruction, defacement or alteration of any public records under his charge, forthwith take appropriate action for the recovery or restoration of such public records.

(2) The records officer shall submit a report in writing to the Director General or, as the case may be, the head of the Archives without any delay on any information about any unauthorised removal, destruction, defacement or alteration of any public records under his charge and about the action initiated by him and shall take action as he may deem necessary subject to the directions, if any, given by the Director General or, as the case may be, head of the Archives.

(3) The records officer may seek assistance from any government officer or any other person for the purpose of recovery or restoration of public records and such officer or person shall render all assistance to the records officer.

8. Destruction or disposal of public records.—(1) Save as otherwise provided in any law for the time being in force, no public records shall be destroyed or otherwise disposed of except in such manner and subject to such conditions as may be prescribed.

(2) No record created before the year, 1892 shall be destroyed except where in the opinion of the Director General or, as the case may be, the head of the Archives, it is so defaced or is in such condition that it cannot be put to any archival use.

9. Penalty for Contraventions.—Whoever contravenes any of the provisions of section 4 or section 8 shall be punishable with imprisonment for a term which may extend to five years or with fine which may extend to ten thousand rupees or with both.

10. Public records bearing security classification.—No public records bearing security classification shall be transferred to the National Archives of India or the Archives of the Union territory.

11. Receipt of records from private sources.—(1) The National Archives of India or the Archives of the Union territory may accept any record of historical or national importance from any private source by way of gift, purchase or otherwise.

(2) The National Archives of India or, as the case may be, the Archives of any Union territory may in such manner and subject to such conditions as may be prescribed, make any record referred to in sub-section (1) available to any *bona fide* research scholar.

12. Access to public records.—(1) All unclassified public records as are more than thirty years old and are transferred to the National Archives of India or the Archives of the Union territory may be, subject to such exceptions and restrictions as may be prescribed made available to any *bona fide* research scholar.

Explanation.—For the purposes of this sub-section, the period of thirty years shall be reckoned from the year of the opening of the public record.

(2) Any records creating agency may grant to any person access to any public record in its custody in such manner and subject to such conditions as may be prescribed.

13. *Archival Advisory Board*.—(1) The Central Government may, by notification in the Official Gazette, constitute an Archival Advisory Board for the purposes of this Act.

(2) The Board shall consist of the following member, namely:—

(a) Secretary to the Government of India in the Ministry of Central Government dealing with culture;

(b) one officer, not below the rank of Joint Secretary to the Government of India, each from the Cabinet Secretariat, Ministry of Home Affairs, Ministry of Defence, Ministry of External Affairs, Ministry of Finance and Ministry of Personnel, Public Grievances and Pension;

(c) two representatives not below the rank of Joint Secretary in the Union territory Administration to be nominated by the Central Government.

(d) three persons to be nominated by the Central Government for a period not exceeding three years, one being an Archivist and two being Professors in the Post-graduate Department of History in any recognised University.

(e) Director General

Chairman,
ex officio.

Members,
ex officio.

Members

Members

Member
Secretary,
ex officio.

(3) The members nominated under clause (d) of sub-section (2) shall be paid such allowances as may be prescribed.

14. *Functions of the Board*.—The Board shall perform the following functions, namely:—

- (a) advise the Central Government and Union territory Administrations on matters concerning the administration, management, conservation and use of public records;
- (b) lay down guidelines for training of Archivists;
- (c) give directions for acquisition of records from private custody;
- (d) deal with such other matters as may be prescribed.

15. *Power of the Director General to lay down norms and standards for courses in archival science*.—The Director General shall have the power to lay down norms and standards for courses curricula, assessment and examinations relating to the training in archival science and other ancillary subjects.

16. *Protection of action taken in good faith*.—No suit, prosecution or other legal proceedings shall lie against any person in respect of anything which is in good faith done or intended to be done in pursuance of this Act or the rules made thereunder.

17. *Power to make rules*.—(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the period after which public records of permanent nature may be accepted under clause (b) of sub-section (2) of section 3;

(b) the manner in which and the conditions subject to which public records can be destroyed under clause (d) of sub-section (1) of section 6;

(c) the manner in which periodical review of classified public records for downgrading shall be undertaken under clause (f) of sub-section (1) of section 6;

(d) the manner in which the records officer will report to the Director General or the head of the Archives under clause (k) of sub-section (1) of section 6;

(e) the manner in which and the conditions subject to which public records may be destroyed or disposed of under sub-section (1) of section 8;

(f) the manner in which and the conditions subject to which records of historical or national importance may be made available to research scholar under sub-section (2) of section 11;

(g) exceptions and restrictions subject to which public records may be made available to a research scholar under sub-section (1) of section 12;

(h) the manner in which and the conditions subject to which any records creating agency may grant to any person access to public records in its custody under sub-section (2) of section 12;

(i) the allowances payable to members of the Board under sub-section (3) of section 13;

(j) the matters with respect to which the Board may perform its functions under clause (d) of section 14;

(k) any other matter which is required to be or may be prescribed.

18. *Laying of rules before Parliament*.—Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

THE ADVOCATES (AMENDMENT) ACT, 1993

AN

ACT

further to amend the Advocates Act, 1961

BE it enacted by the Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title*.—This Act may be called the Advocates (Amendment) Act, 1993.

2. *Amendment of section 6*.—In section 6 of the Advocates Act, 1961 (25 of 1961) (hereinafter referred to as the principal Act).—

(i) in sub-section (1).—

(a) after clause (d), the following clause shall be inserted, namely:—

“(dd) to promote the growth of Bar Associations for the purposes of effective implementation of the welfare schemes referred to in clause (a) of sub-section (2) of this section and clause (a) of sub-section (2) of section 7;”;

(b) after clause (g), the following clause shall be inserted, namely:—

“(gg) to visit and inspect Universities in accordance with the directions given under clause (i) of sub-section (1) of section 7;”;

(ii) in sub-section (2), after clause (b), the following clause shall be inserted, namely:—

“(c) establishing law libraries.”.

3. *Amendment of section 7.*—In section 7 of the principal Act.—

(i) in sub-section (1), in clause (i), after the words “inspect Universities”, the words “or cause the State Bar Councils to visit and inspect Universities in accordance with such directions as it may give in this behalf” shall be added;

(ii) in sub-section (2), after clause (b), the following clause shall be inserted, namely:—

“(c) establishing law libraries.”.

4. *Substitution of new sections for section 8.*—For section 8 of the principal Act, the following sections shall be substituted, namely:—

8. *Term of office of members of State Bar Council.*—The term of office of an elected members of a State Bar Council (other than an elected member thereof referred to in section 54) shall be five years from the date of publication of the result of his election:

Provided that where a State Bar Council fails to provide for the election of its members before the expiry of the said term, the Bar Council of India may, by order, for reasons to be recorded in writing, extend the said term for a period not exceeding six months.

8A. *Constitution of Special Committee in the absence of election.*—(1) Where a State Bar Council fails to provide for the election of its members before the expiry of the term of five years or the extended term, as the case may be, referred to in section 8, the Bar Council of India shall, on and from the date immediately following the day of such expiry, constitute a Special Committee consisting of—

(i) the *ex officio* member of the State Bar Council referred to in clause (a) of sub-section (2) of section 3 to be the Chairman:

Provided that where there are more than one *ex officio* members the senior most amongst them shall be the Chairman; and

(ii) two members to be nominated by the Bar Council of India from amongst advocates on the electoral roll of the State Bar Council.

to discharge the functions of the State Bar Council until the Bar Council Constituted under this Act.

(2) On the constitution of the Special Committee and until the State Bar Council is constituted—

(a) all properties and assets vesting in the State Bar Council shall vest in the Special Committee;

(b) all rights, liabilities and obligations of the State Bar Council whether arising out of any contract or otherwise shall be the rights, liabilities and obligations of the Special Committee;

(c) all proceedings pending before the State Bar Council in respect of any disciplinary matter or otherwise shall stand transferred to the Special Committee.

(3) The Special Committee constituted under sub-section (1) shall, in accordance with such directions as

the Bar Council of India may give to it in this behalf, hold elections to the State Bar Council within a period of six months from the date of its constitution under sub-section (1), and where, for any reason the Special Committee is not in a position to conduct election within the said period of six months, the Bar Council of India may, for reasons to be recorded by it in writing, extend the said period.”

5. *Amendment of section 10A.*—In section 10A of the principal Act, for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:—

(1) The Bar Council of India shall meet at New Delhi or at such other place as it may, for reasons to be recorded in writing, determine.

(2) A State Bar Council shall meet at its headquarters or at such other place as it may, for reasons to be recorded in writing, determine.”.

6. *Amendment of section 24.*—In section 24 of the principal Act, in clause (f) of sub-section (1),—

(i) In the opening portion, for the words “two hundred and fifty rupees”, the words “six hundred rupees and to the Bar Council of India, one hundred and fifty rupees by way of a bank draft drawn in favour of that Council” shall be substituted;

(ii) in the proviso, for the words “one hundred and twenty-five rupees”, the words “one hundred rupees and to the Bar Council of India, twenty-five rupees” shall be substituted;

7. *Amendment of section 24A.*—In section 24A of the principal Act, in sub-section (1),—

(i) after clause (b), the following clause shall be inserted, namely:—

(c) if he is dismissed or removed from employment or office under the State on any charge involving moral turpitude.

Explanation.—In this clause, the expression “State” shall have the meaning assigned to it under article 12 of the Constitution:’;

(ii) in the proviso, for the word “release”, the words “released or dismissal or, as the case may be, removal” shall be substituted.

8. *Omission of section 46.*—Section 46 of the principal Act shall be omitted.

9. *Amendment of section 52.*—In section 52 of the principal Act, in clause (b), for the word “act”, the words “act or plead” shall be substituted.

THE ADVOCATES (AMENDMENT) ACT, 1993
AN
ACT

further to amend the Advocates Act, 1961

BE it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Advocates (Amendment) Act, 1993.

2. *Amendment of section 6.*—In section 6 of the Advocates Act, 1961 (25 of 1961). (hereinafter referred to as the principal Act),—

(i) in sub-section (1),—

(a) after clause (d) the following clause shall be inserted namely:—

“(dd) to promote the growth of Bar Associations for the purposes of effective implementation of the welfare schemes referred to in clause (a) of sub-section (2) of this section and clause (a) of sub-section (2) of section 7;”;

(b) after clause (g), the following clause shall be inserted, namely:—

“(gg) to visit and inspect Universities in accordance with the directions given under clause (i) of sub-section (1) of section 7;”;

(ii) in sub-section (2), after clause (b), the following clause shall be inserted, namely:—

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3. *Amendment of section 7.*—In section 7 of the principal Act,—

(i) in sub-section (1), in clause (i), after the words “inspect Universities”, the words “or cause the State Bar Councils to visit and inspect Universities in accordance with such directions as it may give in this behalf” shall be added;

(ii) in sub-section (2), after clause (b), the following clause shall be inserted, namely:—

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7. *Substitution of new sections for section 8.*—For section 8 of the principal Act, the following sections shall be substituted, namely:—

8. *Term of office of members of State Bar Council.*—The term of office of an elected members of a State Bar Council (other than an elected member thereof referred to in section 54) shall be five years from the date of publication of the result of his election :

Provided that where a State Bar Council fails to provide for the election of its members before the expiry of the said term, the Bar Council of India may, by order, for reasons to be recorded in writing, extend the said term for a period not exceeding six months.

8A. *Constitution of Special Committee in the absence of election.*—(1) Where a State Bar Council fails to provide for the election of its members before the expiry of the term of five years or the extended term, as the case may be, referred to in section 8, the Bar Council of India shall, on and from the date immediately following the day of such expiry, constitute a Special Committee consisting of—

(i) the *ex officio* member of the State Bar Council referred to in clause (a) of sub-section (2) of section 3 to be the Chairman :

Provided that where there are more than one *ex officio* members, the senior most amongst them shall be the Chairman ; and

(ii) two members to be nominated by the Bar Council of India from amongst advocates on the electoral roll of the State Bar Council,

to discharge the functions of the State Bar Council until the Bar Council is constituted under this Act.

(2) On the constitution of the Special Committee and until the State Bar Council is constituted—

(a) all properties and assets vesting in the State Bar Council shall vest in the Special Committee;

(b) all rights, liabilities and obligations of the State Bar Council, whether arising out of any contract or otherwise, shall be the rights, liabilities and obligations of the Special Committee;

(c) all proceedings pending before the State Bar Council in respect of any disciplinary matter or otherwise shall stand transferred to the Special Committee.

(3) The Special Committee constituted under sub-section (1) shall in accordance with such directions as the Bar Council of India may give to it in this behalf, hold elections to the State Bar Council within a period of

six months from the date of its constitution under sub-section (1), and where for any reason the Special Committee is not in a position to conduct election within the said period of six months, the Bar Council of India may, for reasons to be recorded by it in writing, extend the said period.”

5. *Amendment of section 10A.*—In section 10A of the principal Act, for sub-sections (1) and (2) the following sub-sections shall be substituted, namely:—

(1) The Bar Council of India shall meet at New Delhi or at such other place as it may, for reasons to be recorded in writing, determine.

(2) A State Bar Council shall meet at its headquarters or at such other place as it may, for reasons to be recorded in writing, determine.”.

6. *Amendment of section 24.*—In section 24 of the principal Act, in clause (f) of sub-section (1),—

(i) in the opening portion, for the words “two hundred and fifty rupees”, the words “six hundred rupees and to the Bar Council of India, one hundred and fifty rupees by way of a bank draft drawn in favour of that Council” shall be substituted;

(ii) in the proviso, for the words “one hundred and twenty-five rupees”, the words “one hundred rupees and to the Bar Council of India, twenty-five rupees” shall be substituted.

7. *Amendment of section 24A.*—In section 24A of the principal Act, in sub-section (1),—

(i) after clause (b), the following clause shall be inserted, namely:—

‘(c) if he is dismissed or removed from employment or office under the State on any charge involving moral turpitude.

Explanation.—In this clause, the expression “State” shall have the meaning assigned to it under article 12 of the Constitution ;

(ii) in the proviso, for the word “release”, the words “released or dismissal or, as the case may be, removal” shall be substituted.

8. *Omission of section 46.*—Section 46 of the principal Act shall be omitted.

9. *Amendment of section 52.*—In section 52 of the principal Act, in clause (b), for the word “act”, the words “act or plead” shall be substituted.

THE PRESIDENTS EMOLUMENTS AND PENSION (AMENDMENT) ACT, 1993

AN

ACT

further to amend the President's Emoluments and Pension Act, 1951.

BE it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the President's Emoluments and Pension (Amendment) Act, 1993.

2. *Amendment of Section 2 of Act 30 of 1951.*—In section 2 of the President's Emoluments and Pension Act, 1951, in sub-section (2), after clause (c), the following clause shall be inserted, namely:—

“(d) to travel anywhere in India, accompanied by one person, by the highest class by air, rail or steamer.”.

The above Bill has been passed by the Houses of Parliament.

I hereby certify that this Bill is a Money Bill within the meaning of article 110 of the Constitution of India.

THE SUPREME COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT ACT, 1993

AN
ACT

further to amend the Supreme Court Judges (Conditions of Service) Act, 1958

BE it enacted by Parliament in the Forty -forth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Supreme Court Judges (Conditions of Service) Amendment Act, 1993.

2. *Amendment of section 23.*—In section 23 of the Supreme Court Judges (Conditions of Service) Act, 1958 (41 of 1958) (hereinafter referred to as the principal Act),—

(a) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) Where a Judge does not avail himself of the use of an official residence he may be paid every month an allowance of three thousand rupees.”;

(b) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) Sub-sections (1), (2) and (3) shall be deemed to have come into force on the 26th day of January, 1950 and sub-section (1A) shall be deemed to have come into force on the 9th day of May, 1986 and any rule made under any of the said sub-sections may be made so as to be retrospective to any date not earlier than the commencement of the respective sub-section.”.

3. *Amendment of section 23D.*—In section 23D of the principal Act, in clause (a), after the word and figures “Section 23”, the words, brackets, figure and letter “or the allowance paid to him under sub-section (1A) of that section” shall be inserted and shall be deemed to have been inserted with effect from the 9th day of May, 1986.

THE NATIONAL COUNCIL FOR TEACHER EDUCATION ACT, 1993

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19. Executive Committee.
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22. Payment to the Council.
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27. Delegation of powers and functions.
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THE NATIONAL COUNCIL FOR TEACHER EDUCATION ACT, 1993

AN

ACT

to provide for the establishment of a National Council for Teacher Education with a view to achieving planned and co-ordinated development of the teacher education system throughout the country, the regulation and proper maintenance of norms and standards in the teacher education system and for matters connected therewith.

BE it enacted by Parliament in the Forty fourth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. *Short title, extent and commencement.*—(1) This Act may be called the National Council for Teacher Education Act, 1993.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “appointed day” means the date of establishment of the National Council for Teacher Education under sub-section (1) of section 3;

(b) “Chairperson” means, the Chairperson of the Council appointed under clause (a) of sub-section (4) of section 3;

(c) “Council” means the National Council for Teacher Education established under sub-section (1) of section 3;

(d) “examining body” means a University, agency or authority to which an institution is affiliated for conducting examinations in teacher education qualifications;

(e) “institution” means an institution which offers courses or training in teacher education;

(f) “Member” means a Member of the Council and includes the Chairperson and Vice Chairperson;

(g) “Member Secretary” means the Member Secretary of the Council appointed under clause (c) of sub-section (4) of section 3;

(h) “prescribed” means prescribed by rules made under section 31;

(i) “recognised institution” means an institution recognised by the Council under section 14;

(j) “Regional Committee” means a Committee established under section 20;

(k) “regulations” means regulations made under section 32;

(l) “teacher education” means programmes of education, research or training of persons for equipping them to teach at pre-primary, primary, secondary and senior secondary stages in and schools, includes non-formal education, part time education, adult education and correspondence education;

(m) “teacher education qualification” means a degree, diploma or certificate in teacher education awarded by a University or examining body in accordance with the provisions of this Act;

(n) “University” means a University defined under clause (f) of section 2 of the University Grants Commission Act, 1956 (3 of 1956), and includes an institution deemed to be a University under section 3 of that Act;

(o) “Vice-Chairperson” means the Vice-Chairperson of the Council appointed under clause (b) of sub-section (4) of section 3.

CHAPTER II

ESTABLISHMENT OF THE COUNCIL

3. *Establishment of the Council.*—(1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint, there shall be established a Council to be called the National Council for Teacher Education.

(2) The Council shall be a body corporate by the name aforesaid, having perpetual succession and a common seal with power to contract and shall, by the said name, sue and be sued.

(3) The head office of the Council shall be at Delhi and the Council may, with the previous approval of the Central Government, establish regional offices at other places in India.

(4) The Council shall consist of the following Members, namely:—

(a) a Chairperson to be appointed by the Central Government;

(b) a Vice-Chairperson to be appointed by the Central Government;

(c) a Member-Secretary to be appointed by the Central Government;

(d) the Secretary to the Government of India in the Department dealing with Education, *ex officio*;

(e) the Chairman, University Grants Commission established under section 4 of the University Grants Commission Act, 1956 (3 of 1956) or a member thereof nominated by him *ex officio*;

(f) the Director, National Council of Educational Research and Training, *ex officio*;

(g) the Director, National Institute of Educational Planning and Administration, *ex officio*;

(h) the Adviser (Education), Planning Commission, *ex officio*;

(i) the Chairman, Central Boards of Secondary Education, *ex officio*;

(j) the Financial Adviser to the Government of India in the Department dealing with Education, *ex officio*;

(k) the Member-Secretary, All India Council for Technical Education, *ex officio*;

(l) the Chairpersons of all Regional Committees, *ex officio*;

(m) thirteen persons possessing experience and knowledge in the field of education or teaching to be appointed by the Central Government as under, from amongst the—

(i) Deans of Faculties of Education and Professors of Education in Universities—Four;

(ii) experts in secondary teacher education—One;

(iii) experts in pre-primary and primary teacher education—Three;

(iv) experts in non-formal education and adult education—Two;

(v) experts in the field of natural sciences, social sciences, linguistics, vocational education, work experience educational technology and special education, by rotation, in the manner prescribed—Three;

(n) nine Members to be appointed by the Central Government to represent the States and the Union territory Administrations in the manner prescribed;

(o) three Members of Parliament of whom one shall be nominated by the Chairman of the

Council of State and two by the Speaker of the House of the People;

(p) three Members to be appointed by the Central Government from amongst teachers of primary and secondary education and teachers of recognised institutions.

(5) It is hereby declared that the office of the Member of the Council shall not disqualify its holder for being chosen as or for being a member of either House of Parliament.

4. Term of office and conditions of service of Members.—(1) The Chairperson, Vice-Chairperson and the Member-Secretary shall hold office on a full-time basis.

(2) The term of office of the Chairperson, the Vice-Chairperson and the Member-Secretary shall be four years, or till they complete the age of sixty years, whichever is earlier.

(3) The conditions of service of the Chairperson, the Vice-Chairperson and the Member-Secretary shall be such as may be prescribed.

(4) The term of office of Members [other than the Members specified in clauses (a) to (l) and clauses (n) and (o) of sub-section (4) of section 3] shall be two years or till fresh appointments are made, whichever is later, and other conditions of service of such Members shall be such as may be prescribed.

(5) If a casual vacancy occurs in the office of Chairperson, whether by reason of death, resignation or inability to discharge the functions of a Chairperson owing to illness or other incapacity, the Vice-Chairperson holding office as such for the time being shall act as the Chairperson and shall, unless any other person is appointed earlier as Chairperson, hold office of the Chairperson for the remainder of the term of office of the person in whose place the said person is to so act.

(6) If a casual vacancy occurs in the office of the Vice-Chairperson or any other Member, whether by reason of death, resignation or inability to discharge his functions owing to illness or other incapacity, such vacancy shall be filled up by making fresh appointment and the person so appointed shall hold office for the remainder of the term of the office of the person in whose place such person is so appointed.

(7) The Chairperson shall, in addition to presiding over the meetings of the Council, exercise and discharge such powers and duties of the Council as may be delegated to him by the Council and such other powers and duties as may be prescribed.

(8) The Vice-Chairperson shall perform such functions as may be assigned to him by the Chairperson from time to time.

5. Disqualification for office of Member.—A person shall be disqualified for being appointed as a Member if he—

(a) has been convicted, and sentenced to imprisonment for an offence, which in the opinion of the Central Government, involves moral turpitude ; or

(b) is an undischarged insolvent ; or

(c) is of unsound mind and stands so declared by a competent court ; or

(d) has been removed or dismissed from the service of the Government or a body corporate owned or controlled by the Government ; or

(e) has in the opinion of the Central Government such financial or other interest in the Council

as is likely to affect prejudicially the discharge by him of his functions as a Member.

6. Vacation of office of Member.—The Central Government shall remove a Member if he—

(a) becomes subject to any of the disqualifications mentioned in section 5 :

Provided that no Member shall be removed on the ground that he has become subject to the disqualification mentioned in clause (e) of that section, unless he has been given a reasonable opportunity of being heard in the matter ; or

(b) refuses to act or becomes incapable of acting ; or

(c) is, without obtaining leave of absence from the Council, absent from three consecutive meetings of the Council ; or

(d) in the opinion of the Central Government has so abused his position as to render his continuance in office detrimental to the public interest :

Provided that no Member shall be removed under this clause unless he has been given a reasonable opportunity of being heard in the matter.

7. Meetings of the Council.—(1) The Council shall meet at such time and places, and shall observe such rules of procedure in regard to the transaction of business at its meetings (including the quorum at such meetings) as may be provided by regulations :

Provided that the Council shall meet at least once every year.

(2) The Chairperson, and in the absence of the Chairperson, the Vice-Chairperson shall preside at the meetings of the Council.

(3) If for any reason the Chairperson and the Vice-Chairperson, both are unable to attend any meeting of the Council, any other Member chosen by the Members present at the meeting shall preside at that meeting.

(4) All questions which come up before any meeting of the Council shall be decided by a majority of votes of the Members present and voting and in the event of any equality of votes, the Chairperson, or in the absence of the Chairperson the person presiding, shall have and exercise a second or casting vote.

8. Vacancies etc, not to invalidate proceedings of the Council.—No act or proceeding of the Council shall not be invalid merely by reason of—

(a) any vacancy in, or any defect in the constitution of the Council ; or

(b) any defect in the appointment of a person acting as a Member of the Council ; or

(c) any irregularity in the procedure of the Council not affecting the merits of the case.

9. Power to co-opt.—(1) The Council may co-opt, in such manner and for such purposes as may be determined by regulations, not more than three persons, whose assistance or advice it may desire in carrying out any of the provisions of this Act.

(2) The person co-opted by the Council under sub-section(1) for any purpose shall have a right to take part in the discussions relevant to that purpose, but shall not have a right to vote at a meeting of the Council, and shall not be a Member for any other purpose.

10. *Appointment of officers and other employees of the Council.*—(1) For the purpose of enabling the Council to discharge its functions efficiently under this Act, the Council shall, subject to such regulations as may be made in this behalf, appoint (whether on deputation or otherwise) such number of officers and other employees as it may consider necessary:

Provided that the category of posts equivalent to Group 'A' posts in the Central Government shall be subject to the approval of the Central Government.

(2) Every officer or other employee appointed by the Council shall be subject to such conditions of service as may be determined by regulations.

11. *Authentication of the orders and other instruments of the Council.*—All orders and decisions of the Council shall be authenticated by the signature of the Chairperson or any other Member authorised by the Council in this behalf, and all other instruments issued by the Council shall be authenticated by the signature of the Member-Secretary or any other officer of the Council authorised in like manner in this behalf by the Chairperson.

CHAPTER III FUNCTIONS OF THE COUNCIL

12. *Functions of the Council.*—It shall be the duty of the Council to take all such steps as it may think fit for ensuring planned and co-ordinated development of teacher education and for the determination and maintenance of standards for teacher education and for the purposes of performing its functions under this Act, the Council may—

- (a) undertake surveys and studies relating to various aspects of teacher education and publish the result thereof;
- (b) make recommendations to the Central and State Governments, Universities, University Grants Commission and recognised institutions in the matter of preparation of suitable plans and programmes in field of teacher education;
- (c) co-ordinate and monitor teacher education and its development in the country;
- (d) lay down guidelines in respect of minimum qualifications for a person to be employed as a teacher in schools or in recognised institutions;
- (e) lay down norms for any specified category of courses or trainings in teacher education, including the minimum eligibility criteria for admission thereof, and the method of selection of candidates, duration of the course, course contents and mode of curriculum;
- (f) lay down guidelines for compliance by recognised institutions, for starting new courses or training, and for providing physical and instructional facilities, staffing pattern and staff qualifications;
- (g) lay down standards in respect of examinations leading to teacher education qualifications, criteria for admission to such examinations and schemes of courses or training;
- (h) lay down guidelines regarding tuition fees and other fees chargeable by recognised institutions;
- (i) promote and conduct innovation and research in various areas of teacher education and disseminate the results thereof;
- (j) examine and review periodically the implementation of the norms, guidelines and standards

laid down by the Council, and to suitably advise the recognised institutions;

(k) evolve suitable performance appraisal systems, norms and mechanisms for enforcing accountability on recognised institutions;

(l) formulate schemes for various levels of teacher education and identify recognised institutions and set up new institutions for teacher development programmes;

(m) take all necessary steps to prevent commercialisation of teacher education; and

(n) perform such other functions as may be entrusted to it by the Central Government.

13. *Inspection.*—(1) For the purposes of ascertaining whether the recognised institutions are functioning in accordance with the provisions of this Act, the Council may cause inspection of any such institution, to be made by such persons as it may direct, and in such manner as may be prescribed.

(2) The Council shall communicate to the institution the date on which inspection under sub-section (1) is to be made and the institution shall be entitled to be associated with the inspection in such manner as may be prescribed.

(3) The Council shall communicate to the said institution, its views in regard to the results of any such inspection and may, after ascertaining the opinion of that institution, recommend to that institution the action to be taken as a result of such inspection.

(4) All communications to the institution under this section shall be made to the executive authority thereof, and the executive authority of the institution shall report to the Council the action, if any, which is proposed to be taken for the purposes of implementing any such recommendation as is referred to in sub-section (3).

CHAPTER IV

RECOGNITION OF TEACHER EDUCATION INSTITUTIONS

14. *Recognition of institutions offering course or training in teacher education.*—(1) Every institution offering or intending to offer a course or training in teacher education on or after the appointed day, may, for grant of recognition under this Act, make an application to the Regional Committee concerned in such form and in such manner as may be determined by regulations:

Provided that an institution offering a course or training in teacher education immediately before the appointed day, shall be entitled to continue such course or training for a period of six months, if it has made an application for recognition within the said period and until the disposal of the application by the Regional Committee.

(2) The fee to be paid along with the application under sub-section (1) shall be such as may be prescribed.

(3) On receipt of an application by the Regional Committee from any institution under sub-section (1), and after obtaining from the institution concerned such other particulars as it may consider necessary, it shall,—

(a) if it is satisfied that such institution has adequate financial resources, accommodation, library, qualified staff, laboratory and that it fulfils such other conditions required for proper functioning of the institution for a course or training in teacher education, as may be determined by regulations, pass an order granting recognition to such institutions, subject to such conditions as may be determined by regulations; or

(b) if it is of the opinion that such institution does not fulfil the requirements laid down in sub-clause (a), pass an order refusing recognition to such institution for reasons to be recorded in writing :

Provided that before passing an order under sub-clause (b), the Regional Committee shall provide a reasonable opportunity to the concerned institution for making a written representation.

(4) Every order granting or refusing recognition to an institution for a course or training in teacher education under sub-section (3) shall be published in the Official Gazette and communicated in writing for appropriate action to such institution and to the concerned examining body, the local authority or the State Government and the Central Government.

(5) Every institution, in respect of which recognition has been refused shall discontinue the course or training in teacher education from the end of the academic session next following the date of receipt of the order refusing recognition passed under clause (b) of sub-section (3).

(6) Every examining body shall, on receipt of the order under sub-section (4),—

(a) grant affiliation to the institution, where recognition has been granted ; or

(b) cancel the affiliation of the institution, where recognition has been refused.

15. *Permission for a new course or training by recognised institution.*—(1) Where any recognised institution intends to start any new course or training in teacher education, it may make an application to seek permission therefor to the Regional Committee concerned in such form and in such manner as may be determined by regulations.

(2) The fees to be paid along with the application under sub-section (1) shall be such as may be prescribed.

(3) On receipt of an application from an institution under sub-section (1), and after obtaining from the recognised institution such other particulars as may be considered necessary, the Regional Committee shall,—

(a) if it is satisfied that such recognised institution has adequate financial resources, accommodation, library, qualified staff, laboratory, and that it fulfils such other conditions required for proper conduct of the new course or training in teacher education, as may be determined by regulations, pass an order granting permission, subject to such conditions as may be determined by regulation : or

(b) if it is of the opinion that such institution does not fulfil the requirements laid down in sub-clause (a), pass an order refusing permission to such institution, for reasons to be recorded in writing :

Provided that before passing an order refusing permission under sub-clause (b), the Regional Committee shall provide a reasonable opportunity to the institution concerned for making a written representation.

(4) Every order granting or refusing permission to a recognised institution for a new course or training in teacher education under sub-section (3), shall be published in the Official Gazette and communicated in writing for appropriate action to such recognised institution and to the concerned examining body, the local authority, the State Government and the Central Government.

16. *Affiliating body to grant affiliation after recognition or permission by the Council.*—Notwithstanding anything

contained in any other law for the time being in force, no examining body shall, on or after the appointed day,—

(a) grant affiliation, whether provisional or otherwise, to any institution ; or

(b) hold examination, whether provisional or otherwise, for a course or training conducted by a recognised institution,

unless the institution concerned has obtained recognition from the Regional Committee concerned, under section 14 or permission for a course or training under section 15.

17. *Contravention of provisions of the Act and consequences thereof.*—(1) Where the Regional Committee is, on its own motion or on any representation received from any person, satisfied that a recognised institution has contravened any of the provisions of this Act, or the rules, regulations, orders made or issued thereunder, or any condition subject to which recognition under sub-section (3) of section 14 or permission under sub-section (3) of section 15 was granted, it may withdraw recognition of such recognised institution, for reasons to be recorded in writing :

Provided that no such order against the recognised institution shall be passed unless a reasonable opportunity of making representation against the proposed order has been given to such recognised institution :

Provided further that the order withdrawing or refusing recognition passed by the Regional Committee shall come into force only with effect from the end of the academic session next following the date of communication of such order.

(2) A copy of every order passed by the Regional Committee under sub-section (1),—

(a) shall be communicated to the recognised institution concerned and a copy thereof shall also be forwarded simultaneously to the University or the examining body to which such institution was affiliated for cancelling affiliation ; and

(b) shall be published in the Official Gazette for general information.

(3) Once the recognition of a recognised institution is withdrawn under sub-section (1), such institution shall discontinue the course or training in teacher education, and the concerned University or the examining body shall cancel affiliation of the institution in accordance with the order passed under sub-section (1), with effect from the end of the academic session next following the date of communication of the said order.

(4) If an institution offers any course or training in teacher education after the coming into force of the order withdrawing recognition under sub-section (1), or where an institution offering a course or training in teacher education immediately before the appointed day fails or neglects to obtain recognition or permission under this Act, the qualification in teacher education obtained pursuant to such course or training or after undertaking a course or training in such institution, shall not be treated as a valid qualification for purposes of employment under the Central Government, any State Government or University or in any school, college or other educational body aided by the Central Government or any State Government.

18. *Appeals.*—(1) Any person aggrieved by an order made under section 14 or section 15 or section 17 of the Act may prefer an appeal to the Council within such period as may be prescribed.

(2) No appeal shall be admitted if it is preferred after the expiry of the period prescribed therefor:

Provided that an appeal may be admitted after the expiry of the period prescribed therefor, if the appellant

satisfied the Council that he had sufficient cause for not preferring the appeal within the prescribed period.

(3) Every appeal made under this section shall be made in such form and shall be accompanied by a copy of the order appealed against and by such fees as may be prescribed.

(4) The procedure for disposing of an appeal shall be such as may be prescribed :

Provided that before disallowing an appeal, the appellant shall be given a reasonable opportunity to represent its case.

(5) The Council may confirm or reverse the order appealed against.

CHAPTER V

BODIES OF THE COUNCIL

19. Executive Committee.—(1) The Council constitute a Committee, called the Executive Committee for discharging such functions as may be assigned to it by the Council or as may be determined by regulations.

(2) The Executive Committee shall consist of the following members, namely:—

- (a) the Chairperson ;
- (b) the Vice-Chairperson ;
- (c) the Member-Secretary ;
- (d) the Secretary to the Government of India in the Department dealing with Education, *ex officio* ;
- (e) the Secretary, University Grants Commission, *ex officio* ;
- (f) the Director, National Council of Educational Research and Training, *ex officio* ;
- (g) the Financial Adviser to the Government of India in the Department dealing with Education, *ex officio* ;
- (h) four experts in teacher education to be nominated by the Central Government;
- (i) four State representative to be nominated by the Central Government in such manner as may be prescribed ;
- (j) the Chairpersons of the Regional Committees.

(3) The Chairperson and the Member-Secretary of the Council shall respectively, function as the Chairperson and the Member-Secretary of the Executive Committee.

(4) The Chairperson or in his absence the Vice-Chairperson of the Council shall preside at the meetings of the Executive Committee and in the absence of both the Chairperson and the Vice-Chairperson, any other member chosen by the members present at the meeting shall preside at the meeting.

(5) The quorum necessary for the transaction of business at the meetings of the Executive Committee shall be as laid down by regulations.

(6) The Executive Committee may co-opt, in such manner and for such purposes, as may be determined by regulations, not more than two persons whose assistance and advice it may desire in carrying out any of the functions assigned to the Executive Committee:

Provided that the persons co-opted by the Executive Committee for any purpose shall have a right to take part in the discussions relevant to that purpose, but shall not have a right to vote at a meeting of the Executive

Committee, and shall not be a member for any other purpose.

(7) The Council may, if it considers necessary, establish such other committees, for such specific purpose, as it may deem fit.

20. Regional Committees.—(1) The Council shall by notification in the Official Gazette, establish the following Regional Committees, namely:—

- (i) the Eastern Regional Committee ;
- (ii) the Western Regional Committee ;
- (iii) the Northern Regional Committee ; and
- (iv) the Southern Regional Committee.

(2) The Council may, if it considers necessary, establish with the approval of the Central Government, such other Regional Committees as it may deem fit.

(3) The Regional Committee shall consist of the following members, namely :

- (a) a Member to be nominated by the Council ;
- (b) one representative from each of the States and the Union territories of the region, to be nominated by the respective States and the Union territories ;
- (c) such number of persons, having special knowledge and experience in matters relating to teacher education, as may be determined by regulations.

(4) The Council shall nominate one of the members of the concerned Regional Committee to function as the chairperson of the said Committee.

(5) The term of office of the members referred to in clause (c) and the allowances payable to such members shall be such as may be determined by regulations.

(6) The Regional Committee shall, in addition to its functions under sections 14, 15 and 17, perform such other functions, as may be assigned to it by the Council or as may be determined by regulations.

(7) The functions of the procedure to be followed by the territorial jurisdiction of, and the manner of filling casual vacancies among members of a Regional Committee shall be such as may be determined by regulations.

21. Power to terminate the Regional Committee.—(1) If the Council is of the opinion that a Regional Committee is unable to perform, or has persistently made default in the performance of the duties imposed on it by or under this Act or has exceeded or abused its powers, or has wilfully or without sufficient cause, failed to comply with any direction issued by the Council for carrying out the provisions of this Act, the Council may, by notification in the Official Gazette, terminate forthwith the Regional Committee.

(2) Upon the publication of a notification under sub-section (1),—

(a) all members of the Regional Committee shall, notwithstanding that their term of office had not expired, as from the date of the termination, vacate their office as such members ; and

(b) all the powers and duties which may, by or under the provisions of this Act be exercised or performed by or on behalf of the Regional Committee shall, during the period when the term of office of its members stand terminated, be exercised and performed by such person or persons as the Council may direct.

(3) The Council may at any time after publication of a notification under sub-section (2), re-constitute the Regional Committee in the manner provided in sub-section (3) of section 20 :

Provided that it shall be competent for the Council to appoint any person, who was a member of a Regional Committee which was terminated, as a member of the re-constituted Regional Committee.

CHAPTER VI

FINANCE ACCOUNTS AND AUDIT

22. *Payment to the Council.*—The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Council in each financial year such sums as may be considered necessary for the performance of the functions of the Council under this Act.

23. *Fund of the Council.*—(1) The Council shall have its own fund ; and all sums which may, from time to time, be paid to it by the Central Government or a state Government and all the receipts of the Council, including any sum which any other authority or person in India or abroad may pay to the Council, shall be credited to the fund and all payments by the Council shall be made therefrom.

(2) All moneys belonging to the fund shall be deposited in such banks or invested in such manner as may be decided by the Council.

(3) The Council may spend such sums as it thinks fit for performing its functions under this Act, and such sums shall be treated as expenditure payable out of the fund of the Council.

24. *Budget of the Council.*—The Council shall prepare, in such form and at such time each year as may be prescribed, a budget in respect of the financial year next ensuing, showing the estimated receipts and expenditure, and copies thereof shall be forwarded to the Central Government.

25. *Annual report.*—The Council shall prepare once every year, in such form and at such time as may be prescribed, an annual report giving a true and full account of its activities during the previous year and copies thereof shall be forwarded to the Central Government and that Government shall cause the same to be laid before both Houses of Parliament.

26. *Accounts and audit.*—(1) The Council shall cause to be maintained such books of account in such form and in such manner as the Central Government may, in consultation with the Comptroller and Auditor-General of India, prescribe.

(2) The Council shall, as soon as may be, after closing its annual accounts, prepare a statement of accounts in such form and forward the same to the Comptroller and Auditor-General of India by such date as the Central Government may, in consultation with the Comptroller and Auditor-General, determine.

(3) The accounts of the Council shall be audited by the Comptroller and Auditor-General of India at such times and in such manner as he thinks fit.

(4) The accounts of the Council as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before both Houses of Parliament.

CHAPTER VII

MISCELLANEOUS

27. *Delegation of powers and functions.*—The Council may, by general or special order in writing, delegate to the chairperson or to any other member or to any

officer of the Regional Committee, subject to such conditions and limitations, if any, as may be specified in the order, such of its powers and functions under this Act (except the power to make regulations under section 32), as it may deem necessary.

28. *Protection of action taken in good faith.*—No prosecution or other legal proceeding shall lie against the Central Government, the Council or any committees appointed by it, or any Member of the Council or member of such committees, or any officer or employee of the Central Government or the Council or any other person authorised by that Government or the Council, for any thing which is in good faith done or intended to be done under this Act or the rules or regulations made thereunder.

29. *Directions by the Central Government.*—(1) The Council shall, in the discharge of its functions and duties under this Act be bound by such directions on questions of policy as the Central Government may give in writing to it from time to time.

(2) The decision of the Central Government as to whether a question is one of policy or not shall be final.

30. *Power of supersede the Council.*—(1) If the Central Government is of the opinion that the Council is unable to perform, or has persistently made default in the performance of the duties imposed on it by or under this Act or has exceeded or abused its powers, or has wilfully or without sufficient cause, failed to comply with any direction issued by the Central Government under section 29, the Central Government may, by notification in the Official Gazette, supersede the Council for such period as may be specified in the notification :

Provided that before issuing a notification under this sub-section, the Central Government shall give a reasonable opportunity to the Council to show cause why it should not be superseded and shall consider the explanation and objections, if any, of the Council.

(2) Upon the publication of a notification under sub-section (1) superseding the Council—

(a) all the Members of the Council shall, notwithstanding that their term of office had not expired, as from the date of supersession, vacate their offices as such Members ;

(b) all the powers and duties which may, by or under the provisions of this Act be exercised or performed by or on behalf of the Council shall, during the period of supersession, be exercised and performed by such person or persons as the Central Government may direct ;

(c) all property vested in the Council shall, during the period of supersession, vest in the Central Government.

(3) On the expiry of the period of supersession specified in the notification issued under sub-section (1), the Central Government may—

(a) extend the period of supersession for such further period as it may consider necessary ; or

(b) reconstitute the Council in the manner provided in section 3.

31. *Power to make rules.*—(1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—

(a) the manner in which the Central Government is to appoint experts to the Council under sub-

clause (v) of clause (m) of sub-section (4) of section 3;

(b) the manner in which the Central Government is to appoint Members to the Council from amongst the States and the Union territory Administrations under clause (n) of sub-section (4) of section 3;

(c) the conditions of service of the Chairperson, the Vice-Chair person and the Member-Secretary under Sub-section (3) and of Members under sub-section (4) of section 4;

(d) the powers and duties of the Chairperson under sub-section (7) of section 4;

(e) the manner in which and the persons by whom the inspection of an institution is to be made and the manner in which the institution is to be associated in such inspection under sub-sections (1) and (2) of section 13;

(f) the fees payable on application for obtaining recognition under sub-section (2) of section 14 and for obtaining permission under sub-section (2) of section 15;

(g) the period of limitation for an appeal under sub-section (1) of section 18, the form in which such appeal is to be made and the fees payable therefor under sub-section (3) of that section and the procedure for disposal of an appeal under sub-section (4) of that section;

(h) the manner in which the Central Government is to nominate the State representatives in the Executive Committee under clause (i) of sub-section (2) of section 19;

(i) the form in which and the time within which the budget under section 24 and the annual report under section 25 of the Council is to be prepared;

(j) the manner and the form in which the accounts of the Council are to be maintained under sub-section (1) of section 26;

(k) any other matter which has to be, or may be prescribed.

32. Power to make regulations.—(1) The Council may, by notification in the Official Gazette, make regulations not inconsistent with the provisions of this Act and the rules made thereunder, generally to carry out the provisions of this Act,

(2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) the time and the place of the meetings of the Council and the procedure for conducting business thereafter under sub-section (1) of section 7;

(b) the manner in which and the purposes for which persons may be co-opted by the Council under sub-section (1) of section 9;

(c) the appointment and terms and conditions of service of officers and other employees of the Council under sub-sections (1) and (2) respectively of section 10;

(d) the norms, guidelines and standards in respect of—

(i) the minimum qualifications for a person to be employed as a teacher under clause (d) of section 12;

(ii) the specified category of courses or training in teacher education under clause (e) of section 12;

(iii) starting of new courses or training in recognised institutions under clause (f) of section 12;

(iv) standards in respect of examinations leading to teacher education qualifications referred to in clause (g) of section 12;

(v) the tuition fees and other fees chargeable by institutions under clause (h) of section 12;

(vi) the schemes for various levels of teacher education, and identification of institutions for offering teacher development programmes under clause (l) of section 12;

(e) the form and the manner in which an application for recognition is to be submitted under sub-section (1) of section 14;

(f) conditions required for the proper functioning of the institution and conditions for granting recognition under clause (a) of sub-section (3) of section 14;

(g) the form and the manner in which an application for permission is to be made under sub-section (1) of section 15;

(h) conditions required for the proper conduct of a new course or training and conditions for granting permission under clause (a) of sub-section (3) of section 15;

(i) the functions which may be assigned by the Council to the Executive Committee under sub-section (1) of section 19;

(j) the procedure and the quorum necessary for transaction of business at the meetings of the Executive Committee under sub-section (5) of section 19;

(k) the manner in which and the purposes for which the Executive Committee may co-opt persons under sub-section (6) of section 19;

(l) the number of persons under clause (c) of sub-section (3) of section 20;

(m) the term of office and allowances payable to members under sub-section (5) of section 20;

(n) additional functions to be performed by the Regional Committee under sub-section (6) of section 20;

(o) the functions of, the procedure to be followed by, the territorial jurisdiction of, and the manner of filling casual vacancies among members of, a Regional Committee under sub-section (7) of section 20;

(p) any other matter in respect of which provision is to be, or may be, made by regulations.

33. Rules and regulations to be laid before Parliament.—Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation; or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be: so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

34. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty :

Provided that no order shall be made under this section after the expiry of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

THE CONSTITUTION (SEVENTY-FIFTH AMENDMENT) ACT, 1993

AN

ACT

further to amend the Constitution of India

BE it enacted by Parliament in the Forty-fourth year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Constitution (Seventy-fifth Amendment) Act, 1993.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of Article 323B.*—In article 323B of the Constitution, in clause (2),—

(a) sub-clauses (h) and (i) shall be re-lettered as sub-clauses (i) and (j), and before sub-clause (i), as so re-lettered, the following sub-clause shall be inserted, namely:—

“(h) rent, its regulation and control and tenancy issues including the right, title and interest of landlords and tenants;”;

(b) in sub-clause (i), as so re-lettered, for the brackets and letter “(g)”, brackets and letter “(h)” shall be substituted.

(c) in sub-clause (j), as so re-lettered, for the brackets and letter “(h)”, the brackets and letter “(i)” shall be substituted.

THE GOVERNORS (EMOLUMENTS, ALLOWANCES AND PRIVILEGES) AMENDMENT ACT, 1993

AN

ACT

Further to amend the Governors (Emoluments, Allowances and Privileges) Act, 1982

Be it enacted by Parliament in the Forty-fourth of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Governors (Emoluments, Allowances and Privileges) Amendment Act, 1993.

(2) It shall be deemed to have come into force on the 1st day of June, 1988.

2. *Amendment of section 3 of Act, 43 of 1982.*—In section 3 of the Governors (Emoluments, Allowances and Privileges) Act, 1982, in the proviso, in clause (a),—

(a) in sub-clause (ii), for the word “and”, occurring at the end, the word “or” shall be substituted;

(b) sub-clause (iii) shall be omitted.

THE HIGH COURT AND SUPREME COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT ACT, 1993

AN

ACT

Further to amend the High Court Judges (Conditions of Service) Act, 1954 and the Supreme Court Judges (Conditions of Service) Act, 1958.

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the High Court and Supreme Court Judges (Conditions of Service) Amendment Act, 1993.

(2) It shall be deemed to have come into force on the 1st day of April, 1986.

2. *Amendment of section 22D of Act 28 of 1954.*—In the High Court Judges (Conditions of Service) Act, 1954 in section 22D, after clause (c), the following clause shall be inserted, namely:—

“(d) the value of leave travel concession provided to a Judge and members of his family.”.

3. *Amendment of section 23D of Act 41 of 1958.*—In the Supreme Court Judges (Conditions of Service) Act, 1958, in section 23D, after clause (c), the following clause shall be inserted, namely:—

“(d) the value of leave travel concession provided to a Judge and members of his family.”.

THE STATE BANK OF INDIA (AMENDMENT) ACT, 1993

AN

ACT

further to amend the State Bank of India Act, 1995

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the State Bank of India (Amendment) Act, 1993.

(2) It shall be deemed to have come into force on the 15th day of October, 1993.

2. *Amendment of section 4.*—In section 4 of the State Bank of India Act, 1955 (23 of 1955) (hereinafter referred to as the principal Act),—

(i) for the words “twenty lakhs”, the words “two crores” shall be substituted;

(ii) for the words “one hundred rupees”, at both the places where they occur, the words “ten rupees” shall be substituted.

3. *Substitution of new section for section 11.*—For section 11 of the principal Act, the following section shall be substituted, namely:—

“1. *Restrictions on voting rights.*—No shareholder, other than the Reserve Bank, shall be entitled to exercise voting rights in respect of any shares held by him in excess of ten per cent, of the issued capital :

Provided that such shareholder shall be entitled to exercise voting rights at such higher percentage as the Central Government may, after consultation with the Reserve Bank, specify.”.

4. *Amendment of section 12.*—In section 12 of the principal Act, for the words and figures “Banking Companies Act 1949”, the words and figures “Banking Regulation Act, 1949” shall be substituted.

5. *Substitution of new section for section 13.*—For section 13 of the principal Act, the following section shall be substituted, namely:—

“13. *Register of shareholders.*—(1) The State Bank shall keep at its Central Office, a register in one or more books of the shareholders, and shall enter therein the following particulars so far as they may be available:—

- (i) the names, addresses and occupations, if any of the shareholders and a statement of the shares held by each share-holder, distinguishing each share by its denoting number;
- (ii) the date on which each person is so entered as a shareholder;
- (iii) the date on which any person ceases to be a share holder; and
- (iv) such other particulars as may be prescribed.

(2) Notwithstanding anything contained in sub-section (1), it shall be lawful for the State Bank to keep the register of share-holders in computer floppies or diskettes subject to such safeguards as may be prescribed.

(3) Notwithstanding anything contained in the Indian Evidence Act, 1872, (1 of 1872) a copy of, or extract from, the register of share-holders, certified to be a true copy under the hand of an officer of the State Bank authorised in this behalf, shall, in all legal proceedings, be admissible in evidence.”.

6. *Omission of section 14.*—Section 14 of the Principal Act shall be omitted.

7. *Substitution of new section for section 15.*—For section 15 of the principal Act, the following section shall be substituted, namely:—

“15. *Trusts not to be entered on the register of shareholders.*—No notice of any trust, express, implied or constructive, shall be entered on the register of shareholders or be receivable by the State Bank.”

8. *Amendment of section 19.*—In Section 19 of the Principal Act,—

- (i) in the opening portion, the brackets and figure “(1)” shall be omitted;
- (ii) in clause (c), for the words “principal register”, the words “register of shareholders” shall be substituted.

9. *Amendment of section 20.*—In section 20 of the principal Act,—

- (a) in sub-section (3), the words, brackets and figure “of sub-section (1)” shall be omitted;
- (b) in sub-section (3-A), for the words, brackets, figures and letter “of sub-section (1) of section 19 or nominated under clause (d) of that sub-section”, the words, figures, brackets and letter “of section 19 or nominated under clause (d) of that section” shall be substituted;
- (c) in sub-section (4), for the words, brackets, figures and letters “of sub-section (1) of section 19 or nominated under clause (d) or clause (e) or clause (f) of that sub-section”, the words, figures, brackets and letters “of section 19 or nominated under clause (d) or clause (e) or clause (f) of that section” shall be substituted.

10. *Amendment of section 21.*—In section 21 of the principal Act—

(a) in sub section (1)—

(i) for clause (b), the following clause shall be substituted, namely:—

“(b) all such directors elected or nominated to the Central Board under clause (c) or clause (d) of section 19 as are ordinarily resident in the area falling within the jurisdiction of the local head office ;”;

(ii) clause (d) shall be omitted;

(b) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) Where as a result of the establishment of any local head office (hereinafter referred to as the new local head office) for any area which is already falling within the jurisdiction of another local head office (hereinafter referred to as the existing local head office) a Local Board (hereinafter referred to as the new Local Board) is constituted for the new local head office, any person who is, at the time of such constitution, holding office as a member of a Local Board (hereinafter referred to as the existing Local Board) for an existing local head office under clause (c) of sub-section (1) and is ordinarily resident in the area falling within the jurisdiction of the new local head office, shall cease to hold office as member of the existing Local Board and shall become a member of the new Local Board and shall on becoming such member be deemed to have been nominated to the new Local Board and shall hold office as such member for the unexpired portion of his term of office as a member of the existing Local Board.”

(c) sub-section (4) shall be omitted;

(d) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) The Governor of the Reserve Bank shall, in consultation with the Chairman, appoint—

- (a) a member of a Local Board nominated under clause (c) of sub-section (1) to be the president thereof; and
- (b) a member of a Local Board holding office under clause (b) or nominated under clause (c) of that sub-section to be the vice-president thereof.”.

11. *Amendment of section 21A.*—In section 21A of the principal Act, sub section (2) shall be omitted.

12. *Amendment of section 21B.*—In section 21B of the principal Act, for the words “served by the branch register”, the words “falling within the jurisdiction” shall be substituted.

13. *Amendment of section 22.*—In section 22 of the principal Act,—

(a) in sub-section (1)—

(i) in clause (da), in the opening portion, the words, brackets and figure “of sub-section (1)” shall be omitted;

(ii) for clause (h), the following clause shall be substituted, namely:—

“(h) in the case of an elected director, he is not registered as a holder in his own right of unencumbered shares in the State Bank of a nominal value of at least five thousand rupees:

Provided that in the case of a director appointed under clause (ca) or clause (cb) of section 19, the disqualification mentioned in clause (d) shall not operate.”;

(b) in sub-section (4), in clause (a), for the words and figures "Banking Companies Act, 1949", the words and figures "Banking Regulation Act, 1949" shall be substituted.

14. *Amendment of section 24.*—In section 24 of the principal Act—

(a) in sub-section (3), for the words, brackets and figures "of sub-section (1) of section 19", the words and figures "of section 19" shall be substituted ;

(b) in sub-section (4), the words, brackets and figure "of sub-section (1)" shall be omitted :

(c) sub-section (5) shall be omitted.

15. *Amendment of section 25.*—In section 25 of the principal Act,—

(a) in sub-section (2), for the portion beginning with the words "clause (cb) of sub-section (1)" and ending with the words "as the case may be.", the following shall be substituted, namely:—

"clause (cb) of section 19 or of a member of a Local Board other than the chief general manager, the vacancy shall be filled—

(a) in the case of an elected director, by election and

(b) in the case of a director nominated under clause (d) of section 19 or a member of a Local Board nominated under clause (c) of sub-section (1) of section 21, by nomination in consultation with the Reserve Bank :

Provided that where the duration of the vacancy in the office of an elected director is likely to be less than six months, the vacancy may be filled by the remaining directors";

(b) in sub-section (4), the words, brackets and figure "of sub-section (1)" shall be omitted.

16. *Amendment of section 31.*—In section 31 of the principal Act, in the proviso to sub-section (3), in clause (iii), the words, brackets and figure "of sub-section (1)" shall be omitted.

17. *Amendment of section 35.*—In section 35 of the principal Act, in sub-section (10), in clause (a), for the words and figures "Banking Companies Act, 1949", the words and figures "Banking Regulation Act, 1949" shall be substituted.

18. *Amendment of section 36.*—In section 36 of the principal Act, in sub-section (4), for the words and figures "Indian Income-tax Act, 1922 (11 of 1992)" the words and figures "Income-tax Act, 1961 (43 of 1961)", shall be substituted.

19. *Amendment of section 49.*—In section 49 of the principal Act, in sub-section (2), in clause (c), the words, brackets and figure "of sub-section (1)" shall be omitted.

20. *Amendment of section 50.*—In section 50 of the principal Act, in sub-section (2),—

(i) for clause (b), the following clause shall be substituted, namely:—

"(b) the maintenance of register of shareholder, and the particulars to be entered in such register in addition to those specified in section 13, the safeguards to be observed in the maintenance of register of shareholders on computer floppies or diskette, the inspection and closure of the register of shareholders and all other matters connected therewith";

(ii) in clause (c), for the words "served by the different branch register", the words "falling within the jurisdiction of each local head office" shall be substituted ;

(iii) after clause (c), the following clause shall be inserted, namely:—

"(ca) the determination of areas falling within the jurisdiction of each local head office";

(iv) in clause (j), the words "on branch registers" shall be omitted.

21. *Transitional provisions.*—(1) As soon as may be, after the commencement of the State Bank of India (Amendment) Act, 1993 all branch registers kept by the State Bank at its local head offices, immediately before such commencement, shall be closed and transferred to the Central Office.

(2) All applications or matters relating to the shares in the branch registers referred to in sub-section (1) pending at the local head offices immediately before the commencement of the State Bank of India (Amendment) Act, 1993 shall be transferred to the Central Office and dealt with, or disposed of, as if such applications or matters were made to, or pending with, the Central Office.

(3) Every shareholder of the State Bank holding shares in the denomination of one hundred rupees immediately before the commencement of the State Bank of India (Amendment) Act, 1993 shall be entitled to have the share certificates held by him replaced by share certificates of share of equivalent value in the denomination of ten rupees in accordance with the procedure specified by the State Bank in this behalf.

22. *Amendment of Act 66 of 1988.*—For section 13 of the Banking, Public Financial Institutions and Negotiable Instruments Laws (Amendment) Act, 1988, the following section shall be substituted, namely:—

“13. *Amendment of section 21A.*—In section 21A of the State Bank Act,—

(a) for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Subject to the provisions contained in this section and in sub-section (2) of section 21, a member of a Local Board nominated under clause (c) of sub-section (1) of section 21 shall hold office for such term, not exceeding three years, as the Central Government may specify in this behalf and thereafter until his successor has been duly nominated and shall be eligible for renomination :

Provided that no such director shall hold office continuously for a period exceeding six years.”;

(b) after sub-section (4) the following sub-section shall be inserted, namely:—

“(5) A member of a Local Board nominated under clause (c) of sub-section (1) of section 21 shall hold office during the pleasure of the Central Government.”.

23. *Repeal and saving.*—(1) The State Bank of India (Amendment) Ordinance, 1993 (Ord. 33 of 1993) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amendment by this Act.

THE CHIEF ELECTION COMMISSIONER AND OTHER ELECTION COMMISSIONERS (CONDITIONS OF SERVICE) AMENDMENT ACT, 1993

AN

ACT

to amend the Chief Election Commissioner and other Election Commissioners (Conditions of Service) Act, 1991

Be it enacted by Parliament in the Forty-fourth Year

of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Chief Election Commissioner and other Election Commissioners (Conditions of Service) Amendment Act, 1993.

(2) It shall be deemed to have come into force on the 1st day of October, 1993.

2. *Amendment of long title.*—In the Chief Election Commissioner and other Election Commissioners (Conditions of Service) Act, 1991 (11 of 1991) (hereinafter referred to as the principal Act), in the title, for the words "and for matters", the long words "and to provide for the procedure for transaction of business by the Election Commission and for matters" shall be substituted.

3. *Amendment of section 1.*—In section 1 of the principal Act, for the words and brackets "the Chief Election Commissioner and other Election Commissioners (Conditions of Service)", the words and brackets "the Election Commission (Conditions of Service of Election Commissioners and Transaction of Business)" shall be substituted.

4. *Amendment of section 2.*—In section 2 of the principal Act, clause (b) shall be re-lettered as clause (c) and before clause (c) as so re-lettered, the following clause shall be inserted, namely:—

(b) "Election Commission" means the Election Commission referred to in article 324 of the Constitution ;.

5. *Amendment of section 3.*—In section 3 of the principal Act,—

(a) in sub-section (1),—

(i) the brackets and figure "(1)" shall be omitted,

(ii) after the words "Chief Election Commissioner", the words "and other Election Commissioners" shall be inserted ;

(b) in sub-section (2), the brackets, figure and words "(2) There shall be paid to an Election Commissioner a salary which is equal to the salary of a Judge of a High Court :" shall be omitted.

6. *Amendment of section 4.*—In section 4 of the principal Act, for the first proviso, the following proviso shall be substituted, namely:—

"Provided that where the Chief Election Commissioner or an Election Commissioner attains the age of sixty-five years before the expiry of the said term of six years, he shall vacate his office on the date on which he attains the said age.".

7. *Amendment of section 6.*—In section 6 of the principal Act,—

(a) in sub-section (2),—

(i) after the words "Chief Election Commissioner", the words "or an Election Commissioner" shall be inserted ;

(ii) for the word, brackets and figure "sub-section (4)", the word, brackets and figure "sub-section (3)" shall be substituted ;

(b) sub-section (3) shall be omitted ;

(c) sub-section (4) shall be re-numbered as sub-section (3) and in sub-section (3) as so re-numbered, in clause (b) the words "or as the case may be, sixty-two years," shall be omitted.

8. *Amendment of section 8.*—In section 8 of the principal Act, for the portion beginning with the words "for the time being, applicable to", and ending with the words "apply to an Election Commissioner", the following shall be substituted, namely:—

"for the time being, applicable to a judge of the Supreme Court under Chapter IV of the Supreme Court Judges (Conditions of Service) Act, 1958 (41 of 1958) and the rules made thereunder shall so far as may be apply to the Chief Election Commissioner and other Election Commissioners".

9. *Insertion of new Chapter III.*—After section 8 of the principal Act, the following Chapter shall be inserted namely:—

CHAPTER III

TRANSACTION OF BUSINESS OF ELECTION COMMISSION

9. *Transaction of business of Election Commission.*—The business of the Election Commission shall be transacted in accordance with the provisions of this Act.

10. *Disposal of business by Election Commission.*—(1) The Election Commission may, by unanimous decision, regulate the procedure for transaction of its business as also allocation of its business amongst the Chief Election Commissioner and other Election Commissioners.

(2) Save as provided in sub-section (1), all business of the Election Commission shall, as far as possible, be transacted unanimously.

(3) Subject to the provisions of sub-section (2), if the Chief Election Commissioner and other Election Commissioners differ in opinion on any matter, such matter shall be decided according to the opinion of the majority."

10. *Repeal and saving.*—(1) The Chief Election Commissioner and other Election Commissioners (Conditions of Service) Amendment Ordinance, 1993 (Ord. 32 of 1993) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act, as amended by this Act.

THE APPROPRIATION (No. 5) ACT, 1993

AN

ACT

to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year, 1993-94.

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Appropriation (No. 5) Act, 1993.

2. *Issue of Rs. 7955, 87,00,000 out of the Consolidated Fund of India for the year 1993-94.*—From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of seven thousand nine hundred and fifty-five crores and eighty-seven lakh rupees towards defraying the several charges which will come in course of payment during the financial year 1993-94 in respect of the services specified in column 2 of the Schedule.

3. *Appropriation.*—The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

No. of Vote	Services and purposes		Sums not exceeding		
			Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.	
6.	Department of Fertilizers	Revenue ..	630,00,00,000	—	630,00,00,000
		Capital ..	8,00,00,000	—	8,00,00,000
9.	Ministry of Civil Supplies, Consumer Affairs and Public Distribution	Revenue ..	—	16,00,000	16,00,000
		Capital ..	2,50,00,000	—	2,50,00,000
11.	Department of Commerce	Capital ..	200,01,00,000	—	200,01,00,000
12.	Department of Supply	Revenue ..	—	24,00,000	24,00,000
15.	Telecommunication Services	Capital ..	1,00,000	—	1,00,000
23.	Ministry of Environment and Forests	Revenue ..	19,00,00,000	—	19,00,00,000
24.	Ministry of External Affairs	Revenue ..	39,56,00,000	—	39,56,00,000
		Capital ..	29,98,00,000	—	29,98,00,000
		Capital ..	1,00,000	—	1,00,000
25.	Department of Economic Affairs	Revenue ..	50,49,00,000	—	50,49,00,000
27.	Payments to Financial Institutions	Capital ..	645,67,00,000	—	645,67,00,000
29.	Transfers to State Governments	Revenue ..	1449,36,00,000	—	1449,36,00,000
		Capital ..	—	2510,74,00,000	2510,74,00,000
32.	Department of Expenditure	Revenue ..	35,00,000	—	35,00,000
38.	Ministry of Food	Revenue ..	650,20,00,000	—	650,20,00,000
		Capital ..	2,80,00,000	—	2,80,00,000
39.	Ministry of Food Processing Industries	Revenue ..	60,00,000	—	60,00,000
40.	Department of Health	Revenue ..	1,00,000	—	1,00,000
44.	Police	Revenue ..	127,10,00,000	—	127,10,00,000
45.	Other Expenditure of the Ministry of Home Affairs	Revenue ..	1,00,000	—	1,00,000
		Capital ..	1,00,000	—	1,00,000
46.	Transfers to Union Territory Governments	Capital ..	105,00,00,000	—	105,00,00,000
48.	Department of Youth Affairs and Sports	Revenue ..	13,00,00,000	—	13,00,00,000
		Capital ..	—	7,00,000	7,00,000
51.	Department of Industrial Development	Revenue ..	507,46,00,000	—	507,46,00,000
52.	Department of Heavy Industry	Revenue ..	2,00,000	—	2,00,000
		Capital ..	1,00,000	—	1,00,000
54.	Department of Small Scale Industries and Agro and Rural Industries	Revenue ..	2,01,00,000	—	2,01,00,000
58.	Law and Justice	Revenue ..	1,00,000	—	1,00,000
69.	Department of Rural Development	Revenue ..	600,01,00,000	—	600,01,00,000
75.	Surface Transport	Capital ..	6,55,00,000	—	6,55,00,000
77.	Ports, Lighthouses and Shipping	Capital ..	3,01,00,000	—	3,01,00,000
79.	Urban Development and Housing	Revenue ..	18,66,00,000	—	18,66,00,000
		Capital ..	1,00,000	—	1,00,000
80.	Public Works	Capital ..	8,96,00,00	—	8,96,00,000
82.	Ministry of Water Resources	Revenue ..	3,98,00,000	—	3,98,00,000
83.	Ministry of Welfare	Revenue ..	30,00,000	—	30,00,000
85.	Nuclear Power Schemes	Capital ..	250,00,00,000	—	250,00,00,000
86.	Department of Electronics	Revenue ..	30,56,00,000	—	30,56,00,000
		Capital ..	39,44,00,000	—	39,44,00,000
		Total ..	5444,66,00,000	2511,21,00,000	7955,87,00,000

THE KALAKSHETRA FOUNDATION ACT, 1993

ARRANGEMENT OF SECTIONS

CHAPTER I

PRELIMINARY

SECTIONS :

1. Short title and commencement.
2. Declaration of Kalakshetra as an institution of national importance.
3. Definitions.

CHAPTER II

ACQUISITION AND TRANSFER OF THE ASSETS AND PROPERTIES OF KALAKSHETRA

4. Transfer to, and vesting in, the Central Government of the assets and properties of Kalakshetra.
5. General effect of vesting.
6. Central Government to direct vesting of the assets and properties in the Foundation.
7. Duty of persons to deliver and to account for assets, properties, etc.

CHAPTER III

KALAKSHETRA FOUNDATION

8. Establishment and incorporation of Foundation.
9. The objects of Foundation.
10. Authorites of the Foundation.
11. The Governing Board.
12. Term of office of Members.
13. Meetings of the Governing Board.
14. Governing Board to be the supreme authority of Foundation.
15. Academic Committee.
16. Powers and functions of Academic Committee.
17. Finance Committee.
18. Powers and functions of Finance Committee.
19. Appointment and duties of Director.
20. Transfer of service of existing employees.

CHAPTER IV

FINANCE, ACCOUNTS AND AUDIT

21. Grants by Central Government to the Foundation.
22. Fund of the Foundation.
23. Budget.
24. Accounts and audit of the Foundation.
25. Duty to furnish returns, annual reports, etc.

CHAPTER V

MISCELLANEOUS

26. Prior approval of the Central Government for alienation of property.
27. Power of Central Government to give directions to the Foundation.
28. Dissolution of the Foundation.
29. Protection of action taken in good faith.
30. Indemnity.
31. Power to make rules.
32. Power to make regulations.
33. Rules and regulations to be laid before Parliament.
34. Power to remove difficulties.
35. Repeal and saving.

THE FIRST SCHEDULE.
THE SECOND SCHEDULE

THE KALAKSHETRA FOUNDATION ACT, 1993

AN
ACT

to declare Kalakshetra of Madras to be an institution of national importance, to provide for the establishment and incorporation of a Foundation for its administration, to make provisions for further development of Kalakshetra in accordance with the aims and objects for which Kalakshetra was founded and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows :—

CHAPTER I
PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Kalakshetra Foundation Act, 1993.

(2) It shall be deemed to have come into force on the 29th day of September, 1993.

2. *Declaration of Kalakshetra as an institution of national importance.*—Whereas the objects of the institution known as Kalakshetra at Adyar, Madras in the State of Tamil Nadu, founded by the late Thirumathi Rukmini Devi Arundale, are such as to make the institution one of national importance, it is hereby declared that the institution known as Kalakshetra is an institution of national importance.

3. *Definitions.*—In this Act, unless the context otherwise requires,—

- (a) “Academic Committee” means the Academic Committee constituted under section 15;
- (b) “Appointed day” means the date on which the Foundation is established under sub-section (1) of section 8;
- (c) “Board of Trustees” means the Board of Trustees managing the affairs of Kalakshetra under the ‘scheme writ’ approved by the Madras High Court in petition No. 716 of 1985;
- (d) “constituent units” means the units of Kalakshetra specified in the First Schedule;
- (e) “Director” means the Director appointed under sub-section (1) of section 19;
- (f) “Finance Committee” means the Finance Committee constituted under sub-section (1) of section 17;
- (g) “Foundation” means the Kalakshetra Foundation established under sub-section (1) of section 8;
- (h) “Fund” means the Fund of the Foundation referred to in section 22;
- (i) “Governing Board” means the Governing Board constituted under section 11;
- (j) “Kalakshetra” means the institution known as Kalakshetra founded by the late Thirumathi Rukmini Devi Arundale, situated at Adyar, Madras, and includes its constituent units;
- (k) “notification” means a notification published in the Official Gazette;
- (l) “Member” means a Member of the Governing Board and includes the Chairperson thereof;
- (m) “prescribed” means prescribed by rules made under this Act;
- (n) “regulations” means regulations made under section 32;

(o) "Schedule" means a Schedule annexed to this Act ; and

(p) "State Government" means the Government of Tamil Nadu.

CHAPTER II

ACQUISITION AND TRANSFER OF THE ASSETS AND PROPERTIES OF KALAKSHETRA

4. *Transfer to, and vesting in, the Central Government of the assets and properties of Kalakshetra.*—On the commencement of this Act, the right, title and interest in relation to the assets and properties of Kalakshetra specified in the Second Schedule and vested in the Board of Trustees or any other body, in whatever capacity, shall stand transferred to, and vest in, the Central Government.

5. *General effect of vesting.*—(1) The right, title and interest vested in the Central Government under section 4 shall be deemed to include all the assets, rights, lease-holds, powers, authorities, licences and privileges: all property (movable and immovable) including lands and buildings; musical instruments; equipments used in teaching, training and staging of performing arts; tools and facilities used in arts and crafts; costumes and decorative items; books: stationery, furniture and other equipments used in libraries and laboratories; works of art and artefacts stores, automobiles and other vehicles; workshops; cash balances, funds including reserve funds, investments and all other rights and interests arising out of such assets and properties as were immediately before the commencement of this Act in the possession, ownership, power or control of the Board of Trustees or any other body, in whatever capacity, and all books of account, registers, maps, plans and all other documents of whatever nature relating thereto.

(2) All assets and properties as aforesaid which have vested in the Central Government under section 4 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and all other encumbrances affecting them or of any attachment, injunction, decree or order of any court or other authority restricting the use of such assets or properties in any manner, or appointing any receiver in respect of the whole or any part of such assets and properties shall be deemed to have been withdrawn.

(3) Any licence, permission, authority, concession, facility, privilege, affiliation or any other instrument of similar nature granted to the Board of Trustees or any other body, in whatever capacity, in relation to the assets and properties of Kalakshetra or any of its constituent units which has vested in the Central Government under section 4, at any time before the commencement of this Act and in force immediately before such commencement, shall continue to be in force on and after such commencement in accordance with its tenor in relation to, and for purposes of, such assets and properties, or where the direction under section 6 has been issued, the Foundation shall be deemed to be substituted in such licence, permission, authority concession, facility, privilege, affiliation or other instrument as if it had been granted to the Foundation and the Foundation shall hold it for the remainder of the period for which the Board of Trustees or any other body, in whatever capacity would have held it under the terms thereof.

(4) If, on the commencement of this Act, any suit, appeal or other proceeding of whatever nature in relation to any assets or properties which have vested in the Central Government under section 4, instituted or preferred by the Board of Trustees is pending, the same shall not abate, be discontinued or be, in any way prejudicially affected by reason of such transfer and vesting, or of anything contained in this Act, but the suit, appeal or other proceeding may be continued, prosecuted or enforced, by the Central Government or where the right, title and interest in relation to such assets and properties are directed under section 6 of to vest in the Foundation, by the Foundation.

6. *Central Government to direct vesting of assets and properties in the foundation.*—(1) Notwithstanding anything contained in sections 4 and 5, the Central Government shall direct by notification, that the right, title and interest in relation to the assets and properties of Kalakshetra, which had vested in it under section 4, shall vest in the Foundation on such date, not being a date earlier than the date of commencement of this Act, as may be specified in the notification.

(2) On and from the date of vesting of the right, title and interest in relation to the assets and properties of Kalakshetra in the Foundation under sub-section (1),—

(a) the Foundation shall be deemed to have become the owner of the assets and properties ; and

(b) the rights and liabilities of the Central Government, in relation to such assets and properties shall be deemed to have become the rights and liabilities respectively of the Foundation.

7. *Duty of persons to deliver and to account for assets properties, etc.*—(1) On the vesting in the Central Government of the assets and properties of Kalakshetra, all persons in charge of the management of the said assets and properties immediately before the date of such vesting, shall be bound to deliver to the Central Government or to the Foundation or to such person or body of persons as the Central Government or the Foundation may specify in this behalf, all assets, properties, books of account, registers or other documents in their custody relating to the assets and properties of Kalakshetra.

(2) Every person who has, in his possession or control any assets, properties, books, documents or other papers relating to Kalakshetra which have vested in the Central Government or the Foundation under this Act, and which belong to Kalakshetra or would have so belonged if Kalakshetra had not vested in the Central Government or the Foundation, shall be liable to account for the said assets, properties, books, documents and other papers to the Central Government or the Foundation, as the case may be, and shall deliver them up to the Central Government or the Foundation or to such person or body of persons as the Central Government or the Foundation may specify in this behalf.

(3) The Central Government shall take or cause to be taken all necessary steps for securing possession of assets and properties of Kalakshetra which have vested in it under section 4.

CHAPTER III

KALAKSHETRA FOUNDATION

8. *Establishment and incorporation of Foundation.*—(1) With effect from such date as the Central Government may, by notification, appoint in this behalf there shall be established a Foundation to be called the Kalakshetra Foundation.

(2) The Foundation shall be a body corporate by the name aforesaid, having perpetual succession and common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract and shall by the said name sue and be sued.

(3) The office of the Foundation shall be located at Thiruvanmiyur, Madras.

9. *The objects of foundation.*—The objects of the Foundation shall be,—

(i) to emphasise the essential unity of all true arts ;
(ii) to work for the recognition of the arts as vital to the individual, national and international growth ;

(iii) to maintain the highest traditions of art and culture in their pristine purity and in conformity with traditions ;

- (iv) to arrange for the training, research, study, teaching and development of art and science, music, dance-drama, fine arts and Bharat-Natyam ; and
- (v) to ensure that the principles of "education without fear" and "art without vulgarity" are adhered to in the activities of the Foundation and not to permit any deviation from these high ideals.

10. Authority of the Foundation.—(1) The Foundation shall consist of the following authorities, namely:—

- (a) the Governing Board ;
- (b) the Academic Committee ; and
- (c) the Finance Committee.

(2) In the discharge of functions and exercise of powers under this Act, the authorities referred to in sub-section (1) shall be guided by the objects specified in section 9.

11. The Governing Board.—The Governing Board shall consist of—

- (a) a Chairperson, who shall be a person of high eminence in public life, to be appointed by the Central Government ;
- (b) not more than twelve Members to be nominated by the Central Government from amongst persons who—
 - (i) have rendered valuable service to Kalakshetra;
 - (ii) have been connected with, or have knowledge of art, culture, folk arts and crafts ;
 - (iii) are eminent artists ; and
 - (iv) are patrons of art and culture ;
- (c) two 'person' possessing one or more of the qualifications referred to in sub-clauses (i) to (iv) of clause (b), to be nominated by the State Government ;
- (d) two officers of the Central Government, not below the rank of a Deputy Secretary, to be nominated by that Government, to represent the ministry of the Central Government dealing with cultures *ex officio* ;
- (e) one officer of the State Government, not below the rank of Joint Secretary, to be nominated by that Government, to represent the Department of Education of that Government, *ex officio* ; and
- (f) the Director, *ex officio*.

12. Term of office of Members.—(1) The term of office of the Members shall be five years from the date of constitution of the Governing Board.

(2) If a casual vacancy occurs in the office of a Member nominated under clause (b) or clause (c) of section 11, whether by reason of his death, resignation or inability to discharge his functions owing to illness or other incapacity, such vacancy shall be filled by making fresh nomination and the Member so nominated shall hold office for the remainder of the term of office of the Member in whose place he is so nominated.

(3) An outgoing Member shall be eligible for re-nomination.

(4) A Member may resign his office by writing under his hand addressed to the Central Government but shall continue in office until his resignation is accepted by that Government.

(5) The Members nominated under clauses (b) and (c) of section 11, shall be entitled to such allowances as may be prescribed.

13. Meeting of Governing Board.—(1) The Governing Board shall meet at least twice in a year at Madras at such time as may be fixed by the Chairperson of the Governing Board.

(2) All decisions at the meeting of the Governing Board shall be taken by majority of the Members present and voting :

Provided that in the case of equality of votes the Chairperson of the Governing Board shall have a casting vote.

(3) The Governing Board shall observe such procedure in regard to the transaction of its business at its meetings (including the quorum at its meetings) as may be specified by regulations.

(4) No act or proceeding of the Governing Board shall be invalid merely by reason of—

- (a) any vacancy in, or any defect in the constitution of, the Governing Board ; or
- (b) any defect in the nomination of a person acting as a Member of the Governing Board ; or
- (c) any irregularity in the procedure of the Governing Board not affecting the merits of the case.

14. Governing Board to be the supreme authority of Foundation.—(1) The Governing Board shall be the supreme authority of the Foundation and the general superintendence, direction and management of the affairs of the Foundation shall vest in the Governing Board.

(2) The Governing Board shall exercise such powers and discharge such functions as may be prescribed.

15. Academic Committee.—(1) The Academic Committee shall consist of—

- (a) the Director ;
- (b) the Heads of the constituent units ;
- (c) three distinguished persons in the field of art and culture including dance, music, folk arts and crafts, to be nominated by the Central Government; and
- (d) one person to be nominated by the State Government, representing the Department of Education of that Government.

(2) The tenure of office and other terms and conditions of the members of the Academic Committee shall be such as may be specified by regulations.

(3) The Academic Committee shall observe such procedure in regard to the transaction of its business at meetings (including the quorum at the meetings) as may be specified by regulations.

16. Powers and functions of Academic Committee.—The Academic Committee shall be responsible for the maintenance of standards of education, training and examination conducted by the constituent units and shall exercise such other powers and perform such other functions as may be assigned to it, from time to time, by the Governing Board.

17. Finance Committee.—(1) The Finance Committee shall consist of—

- (a) the Financial Adviser to the Government of India or his nominee in the Ministry of the Central Government dealing with culture ;
- (b) an officer of the Central Government, not below the rank of a Deputy Secretary, to be nominated by that Government ;
- (c) an officer of the State Government not below the

rank of a Deputy Secretary, to be nominated by that Government, representing the Department of Finance of that Government; and

(d) the Director.

(2) The Finance Committee shall observe such procedure in regard to the transaction of the business at its meetings as may be specified by regulations.

18. Powers and functions of Finance Committee.—The Finance Committee shall—

(i) scrutinise the annual statement of accounts and budget estimates of the Foundation prepared by the Director and make recommendations to the Governing Board;

(ii) prescribe the limits of the recurring and non-recurring expenditure of the Foundation for each financial year;

(iii) review the financial position of the Foundation from time to time and have an internal audit conducted and;

(iv) perform such other functions as may be prescribed.

19. Appointment and duties of Director.—(1) The Central Government shall, by notification appoint Director who shall be the principal executive officer of Foundation and who shall be responsible for the proper administration of the affairs of the Foundation and its day-to-day management and shall exercise such other powers and perform such other duties as may be assigned to him by the Governing Board.

(2) The Director shall prepare the annual statement of accounts and budget estimates of the foundation for scrutiny by the Finance Committee.

(3) The Director shall be a whole time employee of the Foundation and shall be entitled to such salary and allowances out of the Fund and shall be subject to such conditions of service in respect of leave, pension, provident fund and other matters, as may be prescribed.

20. Transfer of service of existing employees.—On and from the appointed day, every officer or other employee employed immediately before the appointed day in connection with the affairs of Kalakshetra shall become an officer or other employee of the Foundation and shall hold office by the same tenure and remuneration and on the same terms and conditions as to pension, gratuity and other matters as he would have held under the Board of Trustees or any other body, in whatever, capacity, if this Act had not been passed and shall continue to do so, unless and until his employment in the Foundation is terminated or until his tenure, remuneration and other terms and conditions are duly altered by the Foundation:

Provided that the tenure, remuneration and other terms and conditions of service of any such officer or employee shall not be altered to his disadvantage without the previous approval of the Central Government.

CHAPTER IV

FINANCE ACCOUNTS AND AUDIT

21. Grants by Central Government to the Foundation.—For the purpose of enabling the Foundation to discharge its functions efficiently under this Act, the Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Foundation in each financial year, such sums of money, on such terms and conditions as that Government may determine, by way of grant, loan or otherwise.

22. Fund of the Foundation.—(1) The Foundation shall have its own Fund; and all sums which may, from time to time, be paid to it by the Central Government

and all receipts of the Foundation (including any sum which the State Government or any other authority or person may pay to the Foundation) shall be credited to the Fund and all payments by the Foundation shall be made therefrom.

(2) All moneys belonging to the Fund shall be deposited in such banks or invested in such manner as may, subject to the approval of the Central Government, be decided by the Governing Board.

(3) The Foundation may spend such sums as it may think fit for performing its functions under this Act, and such sums shall be treated as expenditure payable out of the Fund of the Foundation.

23. Budget.—The Foundation shall prepare, in such form and at such time each year, as may be prescribed, the budget in respect of the financial year next ensuing showing the estimated receipts and expenditure, and copies thereof shall be forwarded to the Central Government.

24. Accounts and audits of the Foundation.—(1) The Foundation shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet in such form as may be approved by the Comptroller and Auditor-General of India.

(2) The accounts of the Foundation shall be audited by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Foundation to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Foundation shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government account's, and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office of the Foundation.

(4) The accounts of the Foundation as certified by the Comptroller and Auditor-General of India or any person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament.

25. Duty to furnish returns, annual reports, etc.—(1) The Foundation shall furnish to the Central Government at such time and in such form and in such manner, as may be prescribed, or as the Central Government may direct, such returns and statements and such particulars in regard to any proposed or existing programme for the promotion and development of the objects of the Foundation, as the Central Government may, from time to time, direct.

(2) Without prejudice to the provisions of sub-section (1), the Foundation shall, as soon as possible after the end of each financial year, submit to the Central Government an annual report in such form and before such date as may be prescribed, giving a true and full account of its activities and programmes during the previous year.

(3) A copy of the report received under sub-section (2) shall be laid, as soon as may be, after it is received, before each House of Parliament.

CHAPTER V

MISCELLANEOUS

26. Prior approval of the Central Government for alienation of property.—The Foundation shall not, except with the previous approval of the Central Government, sell or otherwise dispose of any property vested in the Foundation.

27. Power of Central Government to give directions to the Foundation.—(1) The Central Government may, if it is satisfied that it is necessary so to do in the public interest, issue, for reasons to be recorded and communicated to the Foundation, such directions as thinks fit.

(2) Without prejudice to the generality of the foregoing powers, such directions may include directions requiring the Foundation—

(a) to make or amend any regulation within such period as may be specified in the direction; and

(b) to give priority to the work undertaken or to be undertaken by the Foundation in such manner as the Central Government may think fit to specify in this behalf.

(3) Any direction issued under this section shall have effect notwithstanding anything contained in any law for the time being in force, or in the memorandum or regulations of the Kalakshetra Society.

28. Dissolution of the Foundation.—(1) The Central Government may, by notification and for reasons to be specified therein, dissolve the Foundation from such date and for such period as may be specified in the notification:

Provided that before issuing any such notification, the Central Government shall give a reasonable opportunity to the Foundation to make representation against the proposed dissolution.

(2) When the Foundation is dissolved under sub-section (1),—

(a) all members of the Governing Board, Academic Committee and the Finance Committee, notwithstanding that the terms of their office had not expired, shall, from the date of dissolution, vacate their offices as such members;

(b) all powers and duties of the Governing Board, Academic Committee and the Finance Committee shall, during the period of dissolution, be exercised and performed by such person or persons as the Central Government may appoint in this behalf;

(c) all properties and assets vested in the Foundation shall, during the period of dissolution, vest in the Central Government; and

(d) as soon as the period of dissolution expires the Foundation shall be reconstituted in accordance with the provisions of this Act.

29. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against the Central Government or any officer of that Government or the Foundation or Member or Director or any officer of the Foundation for anything which is in good faith done or intended to be done under this Act.

30. Immunity.—Every Member of the Governing Board, Academic Committee and the Finance Committee and the Director of the Foundation shall be indemnified by the Foundation against all losses and expenses incurred by them in relation to the discharge of their duties, except such as are caused by their wilful act or default.

31. Power to make Rules.—(1) The Central Government may, by notification, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the allowances to the Members under sub-section (5) of section 12;

(b) the powers which the Governing Board shall exercise and the functions which it shall discharge under sub-section (2) of section 14;

(c) functions to be performed by the Finance Committee, under clause (iv) of section 18;

(d) the salary and allowances and other terms and conditions of service of the Director under sub-section (3) of section 19;

(e) the form and the manner in which the budget is to be prepared by the Governing Board under section 23;

(f) the form and the manner in which and the time at which the returns, statements and the annual report shall be prepared under section 25;

(g) any other matter which has to be, or may be, prescribed.

32. Power to make regulations.—(1) The Foundation may make regulations, not inconsistent with this Act and the rules made thereunder, for enabling it to discharge its functions under this Act.

(2) Without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely:—

(a) the management of the properties and funds, affairs and works of the Foundation;

(b) the procedure in regard to transaction of business of the Governing Board and the Academic Committee (including quorum at their meetings) and the transaction of business of the Finance Committee under sub-section (3) of section 13, sub-section (3) of section 15 and sub-section (2) of section 17;

(c) creation or abolition of posts and the procedure for appointment of the professional, administrative and ministerial staff;

(d) the tenure of office and other terms and conditions of members of the Academic Committee under sub-section (2) of section 15; and

(e) the maintenance of accounts, registers and other records of the Foundation.

(3) No regulation made by the Foundation shall have effect until it has been approved by the Central Government and published in the Official Gazette, and the Central Government, in approving the regulation, may make changes therein which appear to it to be necessary.

33. Rules and regulations to be laid before Parliament.—Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation, or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be: so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

34. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall be laid as soon as may be after it is made, before each House of Parliament.

35. *Repeal and saving.*—(1) The Kalakhshetra Foundation Ordinance, 1993 (Ord. 30 of 1993) is hereby

repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Ordinance so repealed, shall be deemed to have been done or taken under the corresponding provisions of this Act.

THE FIRST SCHEDULE

[See clause (d) of section 3]

1. Kalakshetra College of Fine Arts.
2. Craft Education and Research Centre consisting of—
 - (i) a Weaving Department, and
 - (ii) a Kalamkari unit.
3. Besant Arundale Theosophical Senior Secondary School.
4. Besant Theosophical High School.
5. Besant Cultural Centre Hostel.

THE SECOND SCHEDULE

(See section 4)

Part A

Sl. No	Document No.	Date	Village	Taluk	District	Survey No.	Paimash No.	Extent
1	2	3	4	5	6	7	8	9
1.	1541	16-8-49	Thiruvan-miyur.	Saidapet	Chinglepet	—	1225/A 1228	0-3-8 1-8-4
2.	1542	16-8-49	-do-	-do-	-do-	—	1227/E	1-11-12 Cawnies 0-9-0 0-75 Cawnies Cents
3.	1543	16-8-49	-do-	-do-	-do-	—	—	0-3-12 0-6-2
4.	768	12-5-54	-do-	-do-	-do-	—	1219 1224	0-3-12 0-6-2
		(in rectification of Sl. No. 3)						
5.	1544	16-8-49	-do-	-do-	-do-	—	947-C 1226-C 1226-D	0-11-0 0-6-0 0-12-0
						—		1-13-0
6.	1605	25-8-49	-do-	-do-	-do-	—	1228-B 1226 A 1226 C/1	0-6-10 Cawnies 0-55 Cents.
7.	1960	13-10-49	-do-	-do-	-do-	—	1227/D	0-3-12 Cawnies
8.	1984	15-10-49	-do-	-do-	-do-	—	1227/F	0-5-8 Cawnies
9.	1324	26-11-49	-do-	-do-	-do-	O.S. No. 327 R. S. No. 528	House and Ground No. 18, Andiappa Gramani Street, Royapuram-13.	1491 Sq.ft
10.	1324	26-11-49	-do-	-do-	-do-	—	1229/C	0-10-0 -1 acre Cawnies Cents
11.	2752	11-12-50	-do-	-do-	-do-	—	1219/A-3 1224/D	0-3-12 55 Cawnies Cents
12.	2759	21-12-50	-do-	-do-	-do-	—	1219	0-3-12 -50 Cawnies Cents

1	2	3	4	5	6	7	8	9
13.	1865	2-9-52	Thiruvan-miyur.	Saidapet	Chinglepet	—	1228	0-3-8 1-8-4
								1-11-12 -1 acre 98 cents
14.	621	27-3-59	-do-	-do-	-do-	—	973-B 972 961-C/1 961-L 964	0-7-0 5-7-0 0-3-4 0-9-10 2-5-2
								9-0-0 -12 acres Cawnies
15.	769	12-5-54	-do-	-do-	-do-	—	1219 1224	50 Cents
16.	2068	24-8-56	-do-	-do-	-do-	—	979-C	1-11-14 Cawnies
17.	2151	3-9-56	-do-	-do-	-do-	—	974/A	2-0-0 Cawnies -2 acres 66 cents
18.	863	April 1960	-do-	-do-	-do-	158/1	882-B 882-D 886-D 957-A 958-A 963-A 964 886-C 964 Part	
						170/1	964 Part 975 C Part	21 acres 6 cents
						170/3	975J 973A 973A-1 973A-2 975C Part 975G 975H 975-I 975M 975G 975H-2 975 K	
19.	291	6-2-63	-do-	-do-	-do-	166/2	957-B 962 963-B 966 968-C	22 acres approximately.
20.	754	22-3-63	-do-	-do-	-do-	171/2	857 882-C(Part 877-A 940 941 942 955-A 965 961-H	27 acres 74 cents approximately.
21.	1481	April, 1968	-do-	-do-	-do-	178/3 (Part) 178/8	1212 1214 1184 1185 1220	4 grounds 1988 Sq. ft.
22.	1482	April, 1968	-do-	-do-	-do-	178/3 178/8	-do-	8 grounds 96 sq. ft.

All the buildings on the above lands, institutions, all assets whatsoever including Bank balances and cash of the Kalakshetra.

1.	448	1881	Thiruvanmi-yur.	Saidapet	Chinglepet	—	977, 1212 1213 1214, 1215, 1216, 1217 1218 1219, and 1221.	15-7-4 Cawnies
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1	2	3	4	5	6	7	8	9
2.	1224	1908	Thiruvanmiyur	Saidapet	Chinglepet	—	968C	2-0-8 Cawnies
3.	2382	1913	-do-	-do-	-do-	—	967, 968C	2-0-8 Cawnies
4.	2559	1913	-do-	-do-	-do-	—	967, 968	2-0-8 Cawnies
5.	4544	1919	-do-	-do-	-do-	—	532D, 533, 534	3-7-8 Cawnies
6.	2642	1920	-do-	-do-	-do-	—	967, 968, 968C	4-1-0 Cawines
7.	1325	1927	-do-	-do-	-do-	—	533, 534, 532	3-7-8 Cawnies
8.	1966	1940	-do-	-do-	-do-	—	976A, 971B	2-2-0 Cawnies
9.	2056	1941	-do-	-do-	-do-	—	984	0-4-6 Cawnies
10.	2194	1941	-do-	-do-	-do-	—	984	0-4-6 Cawnies
11.	532	1943	-do-	-do-	-do-	—	976A, 971B	2-2-0 Cawnies
12.	1471	1943	-do-	-do-	-do-	—	976A, 971B	6-2-0 Cawnies
13.	1380	1937	-do-	-do-	-do-	—	191	1-4-0 Cawnies
14.	1381	1937	-do-	-do-	-do-	—	191	1-4-0 Cawnies
15.	1032	1945	-do-	-do-	-do-	—	532, 534	3-7-8 Cawnies
16.	1744	1929						

(Parent document of Item 15)

17.	1134	1945	-do-	-do-	-do-	—	984	0-4-6 Cawnies
						—	984	0-4-6 Cawnies
						—	984	0-4-6 Cawnies
18.	1224	1945	-do-	-do-	-do-	—	971B, 976A	6-2-0 Cawnies
19.	1268	1945	-do-	-do-	-do-	—	970B, 970/D	2-8-0 Cawnies
20.	1598	1945	-do-	-do-	-do-	—	967, 968, 968C	4-1-0 Cawnies
21.	1941	1945	-do-	-do-	-do-	—	1226A/1	0-5-15 Cawnies
						—	1226B/1	
22.	1942	1945	-do-	-do-	-do-	—	1226B/2	0-15-13 Cawnies
23.	1988	1945	-do-	-do-	-do-	—	976B, 979A	2-6-0 Cawnies
24.	353	1947	-do-	-do-	-do-	—	976A/1	3-0-0 Cawnies
25.	2275	1947	-do-	-do-	-do-	O.1. No.	267	0-5-12
							268	0-15-6
							269	3-10-2
						—	270	0-0-12.
							270A	0-0-12
							271	2-4-0 1-4-0
							278	1-4-0 1-4-0
							279	1-0-0 4-15-0
								1-0-0 0-3-0
								1220, 1226A. 0-1-12
								1226B, 967, 0-5-13 2-1-10
								968A, 968C, 0-5-9 2-9-0
								970B, 970,D 0-0-6 0-2-0
								971B, 976A, 1-10-4 2-4-0
								532D, 533, 0-5-10
								79A. 2-0-8
26.	3776	1947	-do-	-do-	-do-	—	1214A, 1217A, 3-9-6	Cawnies
						—	1218A, 1218B, 6-6-10	Cawnies
						—	1212, 1213, 1215,	
						—	1216, 1221.	
27.	3777	1947	-do-	-co-	-do-	—	1212, 1213, 1215, 6-6-10	Cawnies
						—	1216, 1214A, 3-9-6	Cawnies
						—	1217, 1218A,	
						—	1219B.	
28.			Sowcarpet Registration District of Madras		-do-	(O.S No.695, 742). 10168/2 and 10170.	House No. 2/500 Mint Street, P.T. Ms.	1,397 sq. ft.

1	2	3	4	5	6	7	8	9
			Norht Madras	Madras	Chinglepet	(O.S. No. 2506) R. S. No. 3376	House No. 117, Lingi Chetty St. G. T. Ms.	1,331 Sq. ft.
29.	1606	1950	Thiruvanmiyur	Saidapet	-do-	—	1214, 1217, 1218, 2-9-0 Cawnies 1129B.	
30.	909	1961	-do-	-do-	-do-	—	500 500	0-8-0 Cawnie 3 Grounds 1,270 Sq. ft.

All the buildings on the above lands, institutions, and all the assets whatsoever including Bank balances and cash of the Kalakshetra and Besant Centenary Trust/Hostel in the City of Madras.

THE PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) AMENDMENT ACT, 1993

AN

ACT

further to amend the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

Be it enacted by Parliament in the Forty-Fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Public Premises (Eviction of unauthorised Occupants) Amendment Act, 1993.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 2*—In section 2 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) (hereinafter referred to as the Principal Act),—

(1) in clause (e)—

(A) in sub-clause (2)—,

(a) in item (vi), the word "and", occurring at the end, shall be omitted;

(b) after item (iv), the following items shall be inserted, namely:—

"(vii) any State Government or the Government of any Union territory situated in the National Capital Territory of Delhi or in any other Union territory,

(viii) any Cantonment Board constituted under the Cantonments Act, 1924 (2 of 1924); and";

(B) in sub-clause (3),—

(a) in the opening portion, for the words "Union territory of Delhi", the words National Capital Territory of Delhi" shall be substituted;

(b) in item (i), the word "and", occurring at the end, shall be omitted;

(c) in item (ii), the word "and" shall be added at the end;

(d) after item (ii), the following item shall be inserted, namely:—

"(iii) any premises belonging to or taken on lease or requisitioned by, or on behalf of any State Government or the Government of any Union territory.";

(2) in clause (fa), in item (iv), for the word, brackets and figures "and (vi)", the brackets, figures and word "(vi) and (viii)" shall be substituted;

(3) after clause (fa), the following clause shall be inserted, namely:—

(fb) "temporary occupation", in relation to any public premises, means occupation by any person on the basis of an order of allotment made under the authority of the Central Government a State Government, the Government of a Union territory or a statutory authority for a total period (including the extended period, if any) which is less than thirty days;".

3. *Amendment of section 3*—In section 3 of the principal Act, in clause (a), after the words "officers of Government", the words "or of the Government of any Union territory" shall be inserted.

4. *Insertion of new section 3A*—After section 3 of the principal Act, the following section shall be inserted, namely:—

"3A. Eviction from temporary occupation.—Notwithstanding anything contained in section 4 or section 5, if the estate officer, after making such inquiry as he deems expedient in the circumstances of the case, is satisfied that any persons who were allowed temporary occupation of any public premises are in unauthorised occupation of the said premises, he may, for reasons to be recorded in writing, make an order for the eviction of such persons forthwith and, thereupon, if such persons refuse or fail to comply with the said order of eviction, he may evict them from the premises and take possession thereof and may, for that purpose, use such force as may be necessary.".

5. *Amendment of section 4*—In section 4 of the principal Act, sub-section (4) shall be omitted.

THE INLAND WATERWAYS AUTHORITY OF INDIA (AMENDMENT) ACT, 1993

AN

ACT

to amend the Inland Waterways Authority of India Act, 1985

Be it enacted by Parliament in the Forty-fourth year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Inland Waterways Authority of India (Amendment) Act, 1993.

2. *Omission of section 16.*—Section 16 of the Inland Waterways Authority of India Act, 1985 (82 of 1985) (hereinafter referred to as the principal Act) shall be omitted.

3. *Amendment of section 27.*—In section 27 of the principal Act in sub-section (2), the portion beginning with the words "but any jurisdiction, functions, powers or duties" and ending with the words "be exercised, performed or discharged by the Authority" shall be omitted.

THE JUTE MANUFACTURES DEVELOPMENT COUNCIL (AMENDMENT) ACT, 1993

AN

ACT

to amend the Jute Manufactures Development Council Act, 1983.

BE it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Jute Manufactures Development Council (Amendment) Act, 1993.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of Act 27 of 1983.*—In section 2 of the Jute Manufactures Development Council Act, 1983 for clause (f), the following clause shall be substituted, namely:—

(f) “year” means the year commencing on the 1st day of April and ending on the 31st day of March next following.

THE SICK INDUSTRIAL COMPANIES (SPECIAL PROVISIONS) AMENDMENT ACT, 1993

AN

ACT

further to amend the Sick Industrial Companies (Special Provisions) Act, 1985

BE it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Sick Industrial Companies (Special Provisions) Amendment Act, 1993.2. *Amendment of section 3.*—In section 3 of the Sick Industrial Companies (Special Provisions) Act, 1985 (hereinafter referred to as the principal Act), in sub-section (1).—

(i) after clause (d), the following clause shall be inserted, namely:—

(da) “date of finalisation of the duly audited accounts” means the date on which the audited accounts of the company are adopted at the annual general meeting of the company; ;

(ii) after clause (g), the following clause shall be inserted, namely:—

(ga) “net worth” means the sum total of the paid-up capital and free reserves.

Explanation.—For the purposes of this clause, “free reserves” means all reserves credited out of the profits and share premium account but does not include reserves credited out of re-evaluation of assets, write back of depreciation provisions and amalgamation ; ;

(iii) for clause (i), the following clause shall be substituted, namely:—

(i) “operating agency” means any public financial institution, State level institution, scheduled bank or any other person as may be specified by general or special order as its agency by the Board ; ;

(iv) clause (k) shall be omitted ;

(v) for clause (o), the following clause shall be substituted, namely:—

(o) “sick industrial company” means an industrial company (being a company registered for not less than five years) which has at the end of any financial year accumulated losses equal to or exceeding its entire net worth.

Explanation.—For the removal of doubts, it is hereby declared that an industrial company existing immediately before the commencement of the Sick Industrial Companies (Special Provisions) Amendment Act, 1993, registered for not less than five years and having at the end of any financial year accumulated losses equal to or exceeding its entire net worth, shall be deemed to be a sick industrial company ; .3. *Amendment of section 8.*—In section 8 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

(2) The Central Government may provide the Board and the Appellate Authority with such other Officer and employees as may be necessary for the efficient performance of the functions of the Board and the Appellate Authority.”

Amendment of section 12.—In section 12 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely:—

(3) If the Members of a Bench differ in opinion on any point, the point shall be decided according to the opinion of the majority, if there is a majority, but if the Members are equally divided, they shall state the point or points on which they differ, and make a reference to the Chairman of the Board or, as the case may be, the Appellate Authority who shall either hear the point or points himself or refer the case for hearing on such point or points by one or more of the other Members and such point or points shall be decided according to the opinion of the majority of the Members who have heard the case including those who first heard it.”

5. *Amendment of section 16.*—In section 16 of the Principal Act,—(a) in sub-section (3), the following *Explanation* shall be inserted at the end, namely:—*Explanation.*—For the purposes of this sub-section, an inquiry shall be deemed to have commenced upon the receipt by the Board of any reference or information or upon its own knowledge reduced to writing by the Board.” ;

(b) in sub-section (4),—

(i) for the words “it shall appoint”, the words “it may appoint” shall be substituted ;

(ii) the words “or in the public interest” shall be inserted at the end ; ..

(c) after sub-section (4), the following sub-section shall be inserted, namely:—

(4A) The Board may issue such direction to special director appointed under sub-section (4) as it may deem necessary or expedient for proper discharge of his duties ; ;

(d) in sub-section (6), after clause (c), the following clause shall be inserted, namely:—

(d) not be liable to be prosecuted under any law for any-thing done or omitted to be done in good faith in the discharge of his duties in relation to the sick industrial company.”

6. *Amendment of section 17.*—In section 17 of the

Principal Act,—

Amendment of section 17.—(a) in sub-sections (1), (2) and (3), for the words “make its net worth positive”, wherever they occur, the words “make its net worth exceed the accumulated losses” shall be substituted;

(b) in sub-section (4), in clause (a), after the words “by the company concerned,”, the words “or if the company fails to revive in pursuance of the said order,” shall be inserted.

7. *Amendment of section 18.*—In section 18 of the principal Act,—

(a) in sub-section (1),—

(i) for clause (a), of the following clause shall be substituted, namely:—

“(a) the financial reconstruction of the sick industrial company;”;

(ii) for clause (c), the following clause shall be substituted, namely:—

(c) the amalgamation of—

(i) the sick industrial company with any other company, or

(ii) any other company with the sick industrial company—;

(hereafter in this section, in the case of sub-clause (i), the other company, and in the case of sub-clause (ii), the sick industrial company, referred to as “transferee company”);

(iii) after clause (d), the following clause shall be inserted, namely:—

“(du) the rationalisation of managerial personnel, supervisory staff and workmen in accordance with law;”;

(b) in sub-section (2) and the other sub-sections, for the words “transferee industrial company”, whether they occur, the words “transferee company” shall be substituted;

(c) in sub-section (3),—

(i) for clause (a), the following clause shall be substituted, namely:—

“(a) The Scheme prepared by the operating agency shall be examined by the Board and a copy of the scheme with modification, if any, made by the Board shall be sent, in draft, to the sick industrial company and the operating agency and in the case of amalgamation, also to any other company, concerned, and the Board shall publish or cause to be published the draft scheme in brief in such daily news-papers as the Board may consider necessary, for suggestions and objections, if any, within such period as the Board may specify;”;

(ii) in clause (b),—

(A) for the words “any other industrial company”, the words “any other company” shall be substituted;

(B) for the words “such industrial companies” the words “such companies”, shall be substituted;

(C) in the proviso,—

(i) the words “of the sick industrial company” shall be omitted;

(ii) for the words “transferee industrial company” the words “the company other than the sick industrial company” shall be substituted;

(d) after sub-section (6), the following sub-section shall be inserted, namely:—

“(6A) Whereas sanctioned scheme provides for the transfer of any property or liability of the sick industrial company in favour of any other company or person or where such scheme provides for the transfer of any property or liability of any other company or person in favour of the sick industrial company, then, by virtue of, and to the extent provided in the scheme on and from the date of coming into operation of the sanctioned scheme or any provision thereof, the property shall be transferred to, and vest in, and the liability shall become the liability of, such other company or person or, as the case may be, the sick industrial company.”;

(e) for sub-section (8), the following sub-section shall be substituted namely:—

“(8) On and from the date of the coming into operation of the sanctioned scheme or any provision thereof, the scheme or such provision shall be binding on the sick industrial company and the transferee company or, as the case may be, the other company and also on the share holders creditors and guarantors and employees of the said.”;

(f) in sub-section (9), after the words “the operating agency”, the words “or otherwise” shall be inserted;

(g) after sub-section (11), the following sub-section shall be inserted, namely:—

“(12) The Board may monitor periodically the implementation of the sanctioned scheme.”.

8. *Amendment of section 19.*—In section 19 of the principal Act,—

(a) in sub-section (2), after the words “from the date of such circulation.”, the words “or within such further period, not exceeding sixty days, as may be allowed by the Board, and if no consent is received within such period or further period, it shall be deemed that consent has been given.” shall be inserted;

(b) after sub-section (3), the following sub-sections shall be inserted, namely:—

“(3A) On the sanction of the scheme under sub-section (3), the financial institutions and the banks required to provide financial assistance shall designate by mutual agreement a financial institution and a bank from amongst themselves which shall be responsible to disburse financial assistance by way of loans or advances or guarantees or reliefs or concessions or sacrifices agreed to be provided or granted under the scheme on behalf of all financial institutions and banks concerned.

“(3B) The financial institution and the bank designated under sub-section (3A) shall forthwith proceed to release the financial assistance to the sick industrial company in fulfilment of the requirement in this regard.”.

9. *Insertion of new section 19A.*—After section 19 of the principal Act, the following section shall be inserted namely:—

19A. *Arrangement for continuing operations, etc., during inquiry.*—(1) At any time before completion of the inquiry under section 16, the sick industrial company or the Central Government or the Reserve Bank or a State Government or a public financial institution or a State level institution or a scheduled bank or any other institution bank or authority providing or intending to provide any financial assistance by way of loans or advances or guarantees or reliefs or concessions to the sick industrial company may

make an application to the Board.—

- (a) agreeing to an arrangement for continuing the operations of the sick industrial company ; or
- (b) suggesting a scheme for the financial reconstruction of the sick industrial company.

(2) The Board may, within sixty days of the receipt of the application under sub-section (1), pass such orders thereon as it may deem fit.”.

10. *Amendment of section 20.*—In section 20 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

“(1) Where the Board, after making inquiry under section 16 and after consideration of all the relevant facts and circumstances and after giving an opportunity of being heard to all concerned parties, is of opinion that the sick industrial company is not likely to make its networth exceed the accumulated losses within reasonable time while meeting all its financial obligations and that the company as a result thereof is not likely to become viable in future and that it is just and equitable that the company should be wound up, it may record and forward its opinion to the concerned High Court.”.

11. *Amendment of section 21.*—In section 21 of the principal Act,—

- (a) in the opening portion, for the words “in relation to an inquiry or scheme”, the words “for the proper discharge of the functions of the Board under this Act” shall be substituted ;
- (b) in clause (a), for the words “an industrial company”, the words “a company” shall be substituted.

12. *Amendment of section 22.*—In section 22 of the principal Act,—

- (a) in sub-section (1), after the words “appointment of a receiver in respect thereof”, the words “and no suit for recovery of money or for the enforcement of any security against the industrial company or of any guarantee in respect of any loans or advance granted to the industrial company” shall be inserted ;
- (b) in sub-section (2), after the words “taken over or changed”, the words and figures “in pursuance of any scheme sanctioned under section 18” shall be inserted ;
- (c) in sub-section (3), in the opening portion, for the words “During the period”, the words and figures “Where an inquiry under section 16 is pending or any scheme referred to in section 17 is under preparation or during the period” shall be substituted.

13. *Insertion of new section 22A.*—After section 22 of the principal Act, the following section shall be inserted, namely:—

“22A. *Direction not to Dispose of assets.*—The Board may, if it is of opinion that any direction is necessary in the interest of the sick industrial company or creditors or shareholders or in the public interest, by order in writing direct the sick industrial company not to dispose of, except with the consent of the Board, any of its assets.”.

- (a) during the period of preparation or consideration of the scheme under section 18 ; and
- (b) during the period beginning with the recording of opinion by the Board for winding up of the company under sub-section (1) of section 20 and up to commencement of the proceedings relating to the winding up before the concerned High Court.”.

14. *Amendment of section 23.*—In section 23 of the principal Act, in sub-section (1), in the opening portion, for the words “preceding five financial years” the words “preceding four financial years” shall be substituted.

15. *Insertion of new section 23A.*—After section 23 of the principal Act, the following section shall be inserted, namely:—

“23. (1) *Proceedings on report, etc., of loss of fifty per cent. net worth.*—(1) Without prejudice to the provisions of clause (a) of sub-section (1) of section 23, the Central Government or the Reserve Bank or a state Government or a public financial institution or a State level institution or a scheduled bank may, if it has sufficient reasons to believe that the accumulated losses of any industrial company have resulted in erosion of fifty per cent or more of its peak net worth during the immediately preceding four financial years, report the fact of such erosion to the Board.

(2) If the Board has, upon information received or upon its own knowledge, reason to believe that the accumulated losses of any industrial company have resulted in erosion of fifty per cent or more of its peak net worth during the immediately preceding four financial years, it may call for such information from that company as it may deem fit.

(3) Where the Board is of the opinion that an industrial company referred to in sub-section (1) is not likely to make its net worth exceed its accumulated losses within a reasonable time while meeting all its financial obligations and that the company as a result thereof is not likely to become viable in future, it may require by order an operating agency to inquire into and make a report with respect to such matters as may be specified in the order.

(4) After consideration of the report of the operating agency, the Board may publish or cause to be published a notice in such daily newspapers as the Board may consider necessary, for suggestions and objections, if any, within such period as the Board may specify as to why the company should not be wound up.

(5) Where the Board, after consideration of the relevant facts and circumstances and after giving an opportunity of being heard to all concerned parties is of the opinion that the industrial company is not likely to make its net worth exceed the accumulated losses within a reasonable time while meeting all its financial obligations and that the company as a result thereof, is not likely to become viable in future and that it is just and equitable that the company should be wound up, the Board may record and forward its opinion to the concerned High Court in relation to the company as if it were a sick industrial company and the provisions of sub-sections (2), (3) and (4) of section 20 shall apply accordingly.

23B. *Power of Board to call for periodic information.*—On receipt of a report under sub-clause (i) of clause (a) of sub-section (1) of section 23 or under sub-section (1) of section 23A or upon information or its own knowledge under sub-section (2) of section 23A, the Board may call for any periodic information from the company as to the steps taken by the company to make its net worth exceed the accumulated losses and the company shall furnish such information.”.

16. *Amendment of section 25.*—In section 25 of the principal Act, in sub-section (2), the words “or remand the matter to the Board for fresh consideration” shall be added at the end.

17. *Amendment of section 28.*—In section 28 of the Act, in sub-section (2)—

- (a) in clause (d), the word “or” shall be omitted ;

(b) in clause (e), the word "or" shall be inserted at the end;

(c) after clause (e), as so amended, the following clause shall be inserted, namely:—

"(f) the sick industrial company and in case of amalgamation, the other company."

"18. Amendment of section 31.—In section 31 of the principal Act, the words "and no proceeding in respect of such industrial company shall lie or be proceeded with further before the Board" shall be added at the end.

19. Amendment of section 32.—In section 32 of the principal Act, sub-section (3) shall be omitted.

20. Amendment of section 33.—In section 33 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) No court shall take cognizance of any offence under sub-section (1) except on a complaint in writing of the Secretary or any such other officer of the Board or the Appellate Authority or any such officer of an operating agency as may be authorised in this behalf by the Board or the Appellate Authority."

**RAJYA SABHA
ERRATA**

**TO
THE SICK INDUSTRIAL COMPANIES (SPECIAL
PROVISIONS) AMENDMENT BILL, 1993**

(AS PASSED BY THE HOUSES OF PARLIAMENT)

1. Page 1, line 10 for "finalisaion" read "finalisation"
2. Page 3, line 18 for "sub-secion" read "sub-section"
3. Page 3, line 38 for "amlagmation" read "amalgamation".
4. Page 4 line 9 for "calsue" read "clause"
5. Page 6, line 2 for "induslria" read "industrial"
6. Page 7, line 32 for "s" read "as"

New Delhi,
February 3, 1994.

THE CENSUS (AMENDMENT) ACT, 1993

(AS PASSED BY THE HOUSES OF PARLIAMENT
AN
ACT)

further to amend the Census Act, 1948

Be it enacted by Parliament in the Forty-fourth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Census (Amendment) Act, 1993.

2. Substitution of new sections for section 2.—For section 2 of the Census Act, 1948 (37 of 1948) (hereinafter referred to as the principal Act), the following sections shall be substituted, namely:—

2. Definitions.—In this Act, unless the context otherwise requires,—

- "premises" means any land, building or part of a building and includes a hut, shed or other structure or any part thereof;
- "prescribed" means prescribed by rules made under this Act;
- "vehicle" means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise.

2A. Rule of construction respecting enactments not extending to Jammu and Kashmir.—Any reference in this

Act to the Indian Penal Code, the Indian Evidence Act, 1872 (45 of 1860)(1 of 1872) or the Code of Criminal Procedure, 1973 (2 of 1974), shall, in relation to the State of Jammu and Kashmir, be construed as a reference to the corresponding enactment in force in that State."

3. Amendment of section 4.—In section 4 of the principal Act, in sub-section (2), after the word "census-officers", the words "with such designations as that Government may deem necessary" shall be inserted.

4. Insertion of new section 4A.—After section 4 of the principal Act, the following section shall be inserted, namely:—

"4A. Staff of every local authority to be made available for taking census.—Every local authority in a State shall, when so directed by a written order by the Central Government or by an authority appointed by that Government in this behalf, make available to any Director of Census Operations such staff as may be necessary for the performance of any duties in connection with taking of census."

5. Insertion of new section 7A to 7 H.—After section 7 of the principal Act, the following sections shall be inserted, namely:—

7A. Requisitioning premises vehicles, etc., for taking of a census.—(1) If it appears to the Central Government that, in connection with taking of a census,—

(a) any premises are needed or are likely to be needed, or

(d) any vehicle, vessel or animal is needed or is likely to be needed,

that Government may by order in writing requisition such premises, or vehicle, vessel or animal, as the case may be, and make such further orders as may appear to it to be necessary or expedient in connection with the requisitioning.

(2) The requisition shall be effected by an order in writing addressed to the person deemed by the Central Government to be the owner or person in possession of the property, and such order shall be served in the prescribed manner on the person to whom it is addressed.

(3) Whenever any property is requisitioned under sub-section (1), the period of such requisition shall not extend beyond the period for which such property is required for any of the purposes mentioned in that sub-section.

7B. Payment of compensation.—(1) Whenever in pursuance of section 7A the Central Government requisitions any premises, there shall be paid to the person interested compensation the amount of which shall be determined by taking into consideration the following, namely:—

(i) the rent payable in respect of the premises or if no rent is so payable, the rent payable for similar premises in the locality;

(ii) if in consequence of the requisition of the person interested is compelled to change his residence or place of business, the reasonable expenses (if any) incidental to such change;

Provided that where any person interested being aggrieved by the amount of compensation so determined makes an application within the prescribed time to the Central Government for referring the matter to an arbitrator, the amount of compensation to be paid shall be such as the arbitrator appointed in this behalf by the Central Government may determine.

Provided further that where there is any dispute as to the title to receive the compensation or as to the apportionment of the amount of compensation, it shall be

referred by the Central Government to an arbitrator appointed in this behalf by that Government for determination, and shall be determined in accordance with the decision of such arbitrator.

Explanation.—In this sub-section the expression person interested means the person who was in actual possession of the premises requisitioned under section 7A immediately before the requisition, or where no person was in such actual possession, the owner of such premises.

(2) Whenever in pursuance of section 7A the Central Government requisitions any vehicle, vessel, or animal, there shall be paid to the owner thereof compensation the amount of which shall be determined by the Central Government on the basis of the fares or rates prevailing in the locality for the hire of such vehicle, vessel or animal :

Provided that where the owner of such vehicle, vessel or animal being aggrieved by the amount of compensation so determined makes an application within the prescribed time to the Central Government for referring the matter to an arbitrator the amount of compensation to be paid shall be such as the arbitrator appointed in this behalf by the Central Government may determine :

Provided further that where immediately before the requisitioning the vehicle or vessel was by virtue of a hire-purchase agreement in the possession of a person other than the owner, the amount determined under this sub-section as the total compensation payable in respect of the requisition shall be apportioned between that person and the owner in such manner as they may agree upon, and in default of agreement, in such manner as an arbitrator appointed by the Central Government in this behalf may decide.

7C. Power to obtain information.—The Central Government may, with a view to requisitioning any property under section 7A or determining the compensation payable under section 7B, by order, require any person to furnish to such authority as may be specified in the order such information in his possession relating to such property as may be so specified.

7D. Powers of entry into and inspection of premises etc.—Any person authorised in this behalf by the Central Government may enter into any premises and inspect such premises and any vehicle, vessel or animal therein for the purpose of determining whether, and if so in what manner, an order under section 7A should be made in relation to such premises, vehicle, vessel or animal or with a view to securing compliance with any order made under that section.

7E. Eviction from requisitioned premises.—(1) Any person remaining in possession of any requisitioned premises in contravention of any order made under section 7A may be summarily evicted from the premises by any officer empowered by the Central Government in this behalf.

(2) Any officer so empowered may, after giving to any woman not appearing in public reasonable warning and facility to withdraw, remove or open any lock or bolt or break open any door of any building or do any other act necessary for effecting such eviction.

7F. Release of premises from requisition.—(1) When any premises requisitioned under section 7A are to be released from requisition, the possession thereof shall be delivered to the person from whom possession was taken at the time when the premises were requisitioned, or if there were no such person, to the person deemed by the Central Government to be the owner of such premises, and such delivery of possession shall be a full discharge of the Central Government from all liabilities in respect of such delivery, but shall not prejudice any rights in respect of the premises which any person may be entitled by due process of law to enforce against the person to whom possession of the premises is so delivered.

(2) Where the person to whom possession of any premises requisitioned under section 7A is to be given

under sub-section (1) cannot be found or is not readily ascertainable or has no agent or any other person empowered to accept delivery on his behalf, the Central Government shall cause a notice declaring that such premises are released from requisition to be affixed on some conspicuous part of such premises and publish the notice in the Official Gazette.

(3) When a notice referred to in sub-section (2) is published in the Official Gazette, the premises specified in such notice shall cease to be subject to requisition on and from the date of such publication and be deemed to have been delivered to the person entitled to possession thereof and the Central Government shall not be liable for any compensation or other claim in respect of such premises for any period after the said date.

7. Delegation of functions of the Central Government with regard to requisitioning.—The Central Government may, by notification in the Official Gazette, direct that any powers conferred or any duty imposed on that Government by any of the provisions of sections 7A to 7F shall, under such conditions, if any, as may be specified in the direction, be exercised or discharged by such officer as may be specified.

7H. Penalty for contravention of any order regarding requisitioning.—If any person contravenes any order made under section 7A or section 7C, he shall be punishable with imprisonment for a term which may extend to one year or with fine or with both :.

6. Amendment of section 8.—In section 8 of the principal Act, in sub-section (1), for the words "State Government", the words "Central Government" shall be substituted.

7. Amendment of section 10.—In section 10 of the principal Act, in sub-section (1), for the words "State Government" at both the places where they occur, the words "Census Commissioner" shall be substituted.

8. Amendment of section 11.—In section 11 of the principal Act, in sub-section (1)—

(i) for part (a) the following parts shall be substituted, namely:—

(a) any census-officer or any person lawfully required to give assistance towards the taking of census who refuses to perform any duty imposed upon him by this Act or any rule made thereunder, or any person who hinders or obstructs another person in performing any such duty, or

(aa) any census-officer or any person lawfully required to give assistance towards the taking of a census who neglects to use reasonable diligence in performing any duty imposed upon him or in obeying any order issued to him in accordance with this Act or any rule made thereunder, or any person who hinders or obstructs another person in performing any such duty or obeying any such order, or";

(ii) after part (c), the following part shall be inserted, namely:—

"(ca) any local authority which fails to comply with an order made under section 4A, or";

(iii) for the brackets, letters and words (b) or (c) shall also be punishable with imprisonment which may extend to six months", the brackets, letters and words "(a), (b) or (c) shall also be punishable with imprisonment which may extend to three years" shall be substituted.

9. Substitution of new section for section 12.—For section 12 of the principal Act, the following section shall be substituted, namely:—

12. Sanction required for prosecutions.—Without prejudice to the provisions of section 197 of the Code of Criminal Procedure, 1973 (2 of 1974) no prosecution

under this Act shall be instituted except with the previous sanction,—

(a) in the case of a person who is employed or was at the time of commission of the alleged offence employed—

(i) in a company, as defined in section 3 of the Companies Act, 1956, (1 of 1956) in which not less than fifty-one per cent of the paid up capital is held by the Central Government or any company which is a subsidiary thereof within the meaning of that Act, or

(ii) by a corporation or a local authority established by or under a Central Act which is owned or controlled by the Central Government, of the Central Government or of an authority authorised in this behalf by that Government; and

(b) in the case of a person other than referred to in clause (a) of the State Government.”.

10. *Insertion of new section 13A.*—After section 13 of the principal Act, the following section shall be inserted, namely:—

13A. *Certain offences to be cognizable and triable summarily.*—(1) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, (2 of 1974) no police officer or court shall take cognizance of any offence under part (a) (b) or (c) of sub-section (1) of section 11, except upon information received from or on a complaint made by, as the case may be, the Director of Census Operations or any officer authorised by him in this behalf.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, (2 of 1974) every offence punishable under part (a), (b) or (c) of sub-section (1) of section 11 may be tried summarily.”.

11. *Amendment of section 14.*—In section 14 of the principal Act, for the words “Presidency Magistrate or a Magistrate of the second class”, the words “Metropolitan Magistrate or a Judicial Magistrate of the first class” shall be substituted.

12. *Insertion of new sections 15A and 15B.*—After section 15 of the principal Act, the following sections shall be inserted, namely:—

15A. *Protection of service interests of members of census staff.*—No member of the census staff shall suffer any disability in service by reason of his being on census duty and the period spent by him on such census duty

shall be deemed to be the duty under his lending employer and any duty performed under this Act shall not in any manner affect the right of promotion or other advancement in his original service.

15B. *Protection of action taken in good faith.*—No suit, prosecution or other legal proceeding shall lie against the Census Commissioner or any Director of Census Operations or any census-officer or any member of the census staff for any thing which is in good faith done or intended to be done under this Act or the rules made thereunder.”.

13. *Amendment of section 17.*—In section 17 of the principal Act, for the opening portion beginning with the words “The Census Commissioner” and ending with the words “authorise in this behalf”, the words “Subject to the provisions of section 15, the Census Commissioner or any Director of Census Operation” shall be substituted.

14. *Insertion of new section 17.*—After section 17 of the principal Act, the following section shall be inserted, namely:—

17A. *Power to extend the provisions of Act to other operations.*—The Central Government may, by notification in the Official Gazette, extend the provisions of this Act, with such restrictions and modifications as it thinks fit to pre-test, pilot studies, census of houses which precede the population count and post enumeration check and evaluation studies or statistical surveys or any other operation as may be deemed necessary for the purpose of census.”.

15. *Amendment of section 18.*—In section 18 of the principal Act, in sub-section (2), the words “and providing for the manner of service of orders regarding requisitioning of premises, or vehicle; vessel or animal and the time within which the application may be made to it by any interested person aggrieved by the amount of compensation determined under section 7B for referring the matter to an arbitrator” shall be added at the end.

**RAJYA SABHA
ERRATA
TO
THE CENSUS (AMENDMENT) BILL, 1993**

(AS PASSED BY THE HOUSES OF PARLIAMENT)

1. Page 3,—

(i) line for “requisition” read “requisition”
(ii) line 16 for “arbitrator” read “arbitrator”
(iii) line 36 for “posession” read “possession”

New Delhi :
January 19, 1994.

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) को वैशानिक अधिसूचनाएं तथा सन्दर्भ निर्वाचन सम्बन्धी अधिसूचनाएं।

—शून्य—

अनुपूरक

—शून्य—

भाग-1

कैदियों को, जो किसी भी जेल में परिवहन हैं और जो हिमाचल प्रदेश राज्य में सिविल और दार्ढिक अधिकारिता रखने वाले न्यायालयों द्वारा सिद्ध दोष ठहराये गये हैं, 2 मास की विशेष माफी देते हैं।

परन्तु इस शास्त्र के अधीन उपरोक्त भास्त्री निम्नलिखित को लागू नहीं होगी:—

(i) किसी वर्ग के नजरबन्द, (ii) विदेशियों विषयक अधिनियम, 1946 और पासपोर्ट अधिनियम, 1967 के अधीन

शून्य विभाग

अधिसूचना

शिमला-171002, 31 मई, 1996

संख्या शून्य-बी० (बी०) 14-२/९४.—हिमाचल प्रदेश के राज्यपाल, दण्ड प्रक्रिया संहिता 1973 की धारा 432 के साथ पठित-भारत के संविधान के अनुच्छेद 161 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उन

दण्डादिष्ट सिद्धदोष, (iii) पाकिस्तान के नागरिक, (iv) शासकीय गुप्त वात अधिनियम, 1923 की धारा 3, 4, 5, 6 और 10 दण्ड विधि संज्ञोधन अधिनियम, 1961 की धारा 2 और 3 और भारती दण्ड संहिता की धारा 121 से 130 के अद्वीन सिद्धदोष व्यक्ति, (v) दण्ड प्रक्रिया संहिता की धारा 107/109 के अद्वीन परिशांति कायम रखने के लिए पा सदाचार के लिये, प्रतिभूति देने के लिए में असफल रहने वाले कारावासित व्यक्ति, (vi) जुमने के सदाय के व्यक्तिक्रम में कारावास भूगतने वाले व्यक्ति।

आदेशदारा,
एस० एन० वर्मा,
ग्राम्यकृत एवं सचिव।

Provided that the above remission under this order shall not be applicable to the following :—

(i) detenus of any class, (ii) convicts sentenced under the Foreigners Act, 1946 and the Passport Act, 1967, (iii) Pakistani nationals, (iv) Persons convicted under section 3, 4, 5, 6 and 10 of the Official Secrets Act 1923, sections 2 and 3 of the Criminal Law Amendment Act, 1961 and Sections 121 to 130 of the Indian Penal Code, (v) Persons imprisoned for failing to give security for keeping the peace or for their good behaviour under Section 107/109 of the Criminal Procedure Code, (vi) Prisoners under going imprisonment in default of payment of fine.

By order,

S. N. VERMA,
Commissioner-cum-Secretary.

[Authoritative english text of this department notification No. Home B (B) 14-2/94, dated 31st May, 1996 as required under Article 348 (3) of the Constitution of India.]

HOME DEPARTMENT

NOTIFICATION

Shimla-171002, the 31st May, 1996

No. Home-B (B) 14-2/94.—In exercise of the powers conferred by Article 161 of Constitution of India read with section 432 of the Code of Criminal procedure 1973, the Governor of Himachal Pradesh is pleased to grant special remission of 2 months to the prisoners who happened to be confined in any jail and who have been convicted by the courts of civil and criminal jurisdiction in the State of Himachal Pradesh :

PRINTING AND STATIONERY DEPARTMENT NOTIFICATION

Shimla-171002, the 8th July, 1996

No. 2(B)1-11/93-Mudran.—On the recommendation of the Departmental Promotion Committee, the Governor, Himachal Pradesh is pleased to promote Shri Hem Singh, Superintendent Grade-II (Rs. 2000—3500) to the post of Superintendent Grade-I, pay scale Rs. 2200—4000 (Class-II Gazzeted) in the Printing and Stationery Department, Himachal Pradesh with immediate effect on regular basis.

By order,
S. S. PARMAR,
Financial Commissioner-cum-Secretary.

भाग-2

उद्योग विभाग
(भौमिकीय शाखा)

शिमला-171001, 5 जुलाई, 1996

नोलामी सूचना

सं० उद्योग-भृ (खनि-4) नी० मण्डी-८१/१५४-८.—“सर्व साधारण को सूचित किया जाता है कि जिला मण्डी की लघु खनिज खानों की

हस्ताक्षरित/-
निदेशक।

FOOD AND SUPPLIES DEPARTMENT, UNA, DISTRICT UNA

NOTIFICATION

Una, the 28th June, 1996

No. FDS-LPG (U)/96/3082—3116.—In exercise of the powers conferred upon me under clause 9(b) of the Himachal Pradesh Hoarding and Profiteering Prevention Order, 1977, I, AJV Parshad, District Magistrate, Una, District Una, do hereby prescribe the manner in which the liquified petroleum gas cylinders will be supplied to the consumers by the Gas Agencies in different areas of the district at the rates already fixed for each place.

Name of Gas Agency	Route No.	LPG Distribution day	Route
1	2	3	4
M/s Kamal Gas Agency.	1.	1st and 3rd day of the month	(Una-Khurwain) Arniala, Kotla Kalan, Ajnoli, Dangoli, Samoor & Kuriala.
"	2.	1st and 3rd Tuesday	(Una-Chamdari) Kotla Khurd, Takka, Nari, Dhandari, Basal.
"	3.	,, ,,, ,,, Thursday	(Una-Dhusara) Jhelora, Rainsary, Tuedri, Dhusara.
"	4.	,, ,,, Friday	(Una-Panjawar) Bhadsali, Pandoga, Ispur, Panjawar.

1	2	3	4
Name of Gas Agency	5.	1st and 3rd Saturday	(Una—Haroli) Santoshgarh, Ghaluwal, Haroli, Jankaur, Santoshgarh.
"	6.	" " Sunday	(Una—Mehatpur) Melahat, Madanpur Basoli, Jalgran, Mehatpur.
"	7.	Una Local	Regular supply
HPSCSC, Barsari		1st & 3rd Thursday	Lathani, Kalruhi, Malangir, Kohdra, Budhan, Bangana, Dhundla, Hatli, Tuturu & Piplu.
HPSCSC, (LPG Unit Amb)	1.	" " Friday	(Gagret—Pandoga) Gagret, Ambota, Chelet, Deoli.
"	2.	" " Wednesday	Mubarkpur, Bhanjal, Banehra, Nakroh.
"	3.	" " Saturday	Lohra, Koharchhan, Chowar.
"	4.	" " Tuesday	Nandpur, Churru, Kuthiar, Baruhi, Bhera.
"	5.	Amb Local	Regular Supply.

Other terms and conditions :

1. LPG dealers shall ensure supply of LPG refills to all the areas attached with each Gas Agency, ~~on~~ on the days specified in the Route Chart and submit a report of the supply made during the month.
2. LPG dealers shall also ensure that the refills supplied to the consumers are having standard weight and properly sealed.
3. The dealer shall display these route chart on the conspicuous places of their main offices so that consumers may remain aware of the days of supplies to their respective areas.
4. The LPG dealer shall not charge more than the price fixed by the District Magistrate, Una in respect of each place.

This notification will come into force with immediate effect from its publication in Himachal Pradesh Gazette, Raipatra. 72

A. J. V. PARSHAD,

District Magistrate,
Una, District Una.

भाग - 5

ब अदालत श्री जी० स०० चन्देल, उप-पंजीयाल, चौपाल, जिला शिमला
हिमाचल प्रदेश

उनवान मुकदमा :

श्री करम दास पुत्र श्री हरी दास, ग्राम माटल, परगना पुन्दर, तहसील चौपाल, जिला शिमला।

बनाम

श्राम जनता

क्रीक दोयम ।

जी० स०० चन्देल,
उप-पंजीयाल, चौपाल,
जिला शिमला ।

दरखास्त बराये पंजीकृत किये जाने वसीयतनामा जेर धारा 40/41
भारतीय पंजीकरण अधिनियम 1908.

अतः श्राम जनता को वजरिया इश्तहार सुचित किया जाता है कि यदि इस वसीयत नामा के पंजीकरण वारे किसी को कोई उजर व एतराज हो तो वह अपना उजर मेरी अदालत मुकाम चौपाल में दिनांक 22-7-96 को प्राप्तः 10 बजे स्वयं हाजर आकर पेश करें अन्यथा वसीयत नामा जेर धारा 40/41 भारतीय पंजीकरण अधिनियम 1908 के अन्तर्गत पंजीकृत किया जायेगा।

याज दिनांक 17-6-1996 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर ।

२ नोटिस बनाम श्राम जनता :

विषय उपरोक्त में श्राम जनता को वजरिया इश्तहार आगाह किया जाता है कि श्री हरी दास पुत्र भगवान दास, ग्राम माटल परगना पुन्दर, तहसील चौपाल ने अमने जोते जी पूर्ण होश र दहस्ती अफल के एक वसोयत नामा रुब्र गवाहन सर्व श्रो करम दास व रोशन लाल पुन्दर श्री हरी दास, ग्राम माटल परगना पुन्दर, तहसील चौपाल के नाम तहरीर करवाया था। वसीयत दाहिन्दा व्रव वकात पा चुका है। श्री करम दास ने स्वयं हाजर प्रक्रिय वसीयत नामा वराये पंजीकरण जेर धारा 40/41 भारतीय पंजीकरण अधिनियम 1902 के अन्तर्गत पेश किया।

ब अदालत श्री जी० स०० चन्देल, उप-पंजीयाल, चौपाल, जिला शिमला (हि० प्र०)

उनवान मुकदमा :

श्री किरपा राम पुत्र जू, ग्राम सरी परगना वाहल तहसील चौपाल, जिला शिमला (हि० प्र०)

क्रीक दोयम ।

बनाम

श्राम जनता

क्रीक दोयम ।

दरखास्त बराये पंजीकृत किये जाने वसीयतनामा जेर धारा 40/41 भारतीय पंजीकरण अधिनियम, 1908.

नोटिस बनाम आम जनता।

बिषय उपरोक्त में आम जनता को बजारिया इश्तहार आगाह किया जाता है कि श्री मिचू पुत्र शमक, ब्राम सरी परगना बाहल, तहसील चौपाल, जिला शिमला हि०प्र० ने एक वसीयतनामा अपनी पूर्ण होश व हवास दस्ती अकल के जीते जी रुबरु गवाहन श्री किरपा राम पुत्र श्री जऊ ग्राम सरी परगना बाहल, तहसील चौपाल के नाम तेहरीर करवाया है। वसीयत दहिन्दा अब वफात पा चुका है। श्री फिर्ता राम ने स्वयं हाजर आकर वसीयत नामा बराबे पंजीकरण जेर धारा 40/41 भारतीय पंजीकरण अधिनियम 1908 के अन्तर्गत पंजीकृत किया जायेगा।

अतः आम जनता को बजारिया इश्तहार सूचित किया जाता है कि यदि इस वसीयत नामा के पंजीकरण बारे किसी को कोई उजर व एतराज हो तो वह अपना उजर मेरी अदालत मुकाम चौपाल में दिनांक 22-7-96 को पेश करें, अन्यथा वसीयत नामा जेर धारा 40/41 भारतीय पंजीकरण अधिनियम 1908 के अन्तर्गत पंजीकृत किया जायेगा।

आज दिनांक 17-6-1996 को मेरे हस्ताक्षर व मोहर अदालत से जारी किया गया।

मोहर।

जी० सी० चन्देल,
उप-पंजीयाल, चौपाल,
जिला शिमला।

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